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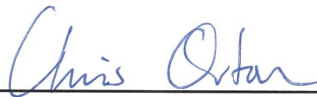
Balthasar's experimental faith-ethic:  
The *Nine Propositions* in the aftermath of Vatican II

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### **DECLARATION**

I am the author of this work. I have not submitted any part of it towards any other degree or professional qualification.



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Christopher Orton

## ABSTRACT

This thesis locates, introduces and interprets Hans Urs von Balthasar's short text *Nine Propositions on Christian Ethics* (1974). The text is commended to the contemporary reader as a substantial Catholic contribution to the discipline of Christian ethics or moral theology. It is particularly interesting in its theological treatment of biblical and moral law.

The first chapter identifies some of the factors pressing on the discipline of Catholic moral theology in the decade before Balthasar's text. First, the 1960s saw the popular rejection by clergy and laity of the neo-Scholastic manuals of moral theology. Second, Vatican II instructed theologians to integrate moral and ascetical theology and endorsed the emerging 'Christological shift' in moral theology. Third, Paul VI rejected the official report of the Pontifical Commission on Population, Family and Birth (1966) in his 1968 encyclical *Humanae vitae*. This latter controversy disrupted attempts by moral theologians to reach a consensus in their interpretation of the council. The chapter also provides an interpretation of the teaching of the council on moral theology grounded in detailed exegesis of key conciliar texts. It concludes by discussing Josef Fuchs' influential interpretation of the council which attempts to reconcile the Christological shift in moral theology with natural law. Fuchs' work remains an influential interpretation of the council for English language moral theologians.

The second chapter provides the fullest English language account of the formation and early years of the International Theological Commission (ITC). The ITC entered into the debate regarding the future of Catholic moral theology from its first meeting in 1969, culminating in a discussion of moral theology in 1974 for which Balthasar prepared his *Nine Propositions*. From 1972 it is clear that Balthasar diverged from the majority view of the ITC regarding the future direction of postconciliar moral theology and tabled the *Nine Propositions* at the 1974 assembly in an unsuccessful attempt to persuade the commission to take a different approach. The chapter also offers a detailed interpretation of Hegel's eighteenth century text *The Spirit of Christianity and its Fate* (SCF) in order to cast light on the structure of Balthasar's argument in the *Nine Propositions*, including his treatment of law in all its forms.

The final two chapters offer a detailed interpretation of the *Nine Propositions*, Balthasar's extended experiment in faith-ethics. These chapters explain the unfamiliar format of the text and detail Balthasar's attempt to fulfil the council's instruction that moral theology should be perfected. They also develop the interpretive insights into Balthasar's argument generated by our close study of Hegel's SCF. Balthasar's proposal clearly conforms to the council's desire that the Mystery of Christ be placed at the centre of the discipline. His proposal also gives a theological account of the fulfilment of Old Testament law in the life of Christ. This account challenges any absolutisation of the moral law in contemporary Christian ethics and adds significance to Balthasar's treatment of the divine gift of personhood and of individual missions. The thesis concludes by commending Balthasar for his attempt to reconcile the various schools in postconciliar Catholic moral theology.

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“Catholic moral theology must be above all Christocentric.”

Bernhard Häring, *Road to Relevance* (New York: Alba, 1970), p.22, translating Häring, *Moralverkündigung nach dem Konzil* (Bergen-Enkheim: Kaffke, 1966).

## Introduction

Balthasar submitted the *Nine Propositions on Christian Ethics* for discussion at the 1974 assembly of the Catholic International Theological Commission (ITC). This commission was Balthasar's first high profile appointment as a theologian and he played an active role from its formation in 1969. The commission did not adopt the *Nine Propositions* officially in 1974, but allowed it to be published under Balthasar's name on a 'semi-official' basis for wider study.<sup>1</sup> The few reviewers of the text have been critical and it has been largely ignored by English language moral theologians.<sup>2</sup> This even extends to the main contemporary proponent of Balthasar's ethical thought, Christopher Steck, who excludes the *Nine Propositions* from his study on the basis that it does not make prominent use of Balthasar's concept of attunement.<sup>3</sup>

This thesis revises previous assessments of the *Nine Propositions* by showing that Balthasar's text is a deliberate and sophisticated intervention into the debate concerning the future of postconciliar Catholic moral theology. The text was composed following a period of considerable instability within the discipline – epitomised by the rejection of the official report of the Pontifical Commission on Population, Family and Birth (1966) by Paul VI in his 1968 encyclical *Humanae vitae* – and offers an impressive synthesis of Balthasar's broader theological concerns with the preconciliar Christological shift in moral theology and the various instructions regarding moral theology in the texts of the Second Vatican Council (Vatican II). The text thus provides a window into an important period in the development of moral theology.

As a summary of some of Balthasar's broader theological concerns the *Nine Propositions* is also highly relevant to discussions about the foundations of the discipline of moral theology and Christian ethics. This is particularly the true if one is interested in asking how moral concepts such as natural and biblical law,

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<sup>1</sup> Michael Sharkey, ed., *International Theological Commission: Texts and Documents 1986-2007*, Vol. 1 (San Francisco: Ignatius, 2009): 108.

<sup>2</sup> Two prominent critics are Dietmar Mieth, "Autonome Moral im christlichen Kontext" *Orientierung* 40 (1976): 31-34, and Bruno Schüller, "The debate on the specific character of a Christian ethics: some remarks," in *Readings in Moral Theology No. 2: The Distinctiveness of Christian Ethics*, edited by Charles E. Curran and Richard A. McCormick (New York: Paulist, 1980): 218-219.

<sup>3</sup> Christopher Steck, *The Ethical Thought of Hans Urs von Balthasar* (New York: Crossroad, 2001): 5. This is one of three recent studies on Balthasar's ethics. The others are by Melanie Susan Barrett, *Love's Beauty At the Heart of the Christian Moral Life: The Ethics of Catholic Theologian Hans Urs von Balthasar* (Lampeter: Edwin Mellen, 2009), and Tobias J. Nathe, *The Form Love Takes in the World: On Hans Urs von Balthasar's Contribution to Ethics* (PhD diss., Catholic University of America, 2012).

conscience, vocation and virtue might be rooted in the gospel of Jesus Christ. An important question, during Vatican II and subsequently, is the response that moral theologians offer to the problem of legalism. Balthasar's text which, *contra* Steck, appears to be quite consistent with his broader theological project, gives an account of Christian ethics which does not define itself in opposition to various forms of moral law, but argues persuasively that obedience to laws are not the primary means by which human persons participate in God's saving work. Balthasar's famous emphasis on the priority of God's love for the world is given ethical expression, in the *Nine Propositions*, in the form of Christ's concrete offering of himself to the Father for the sake of the world. In Balthasar's view, moral theology is to be conceived, fundamentally, as the individual's practical participation, by grace, in the universal mission of Christ.

The first chapter provides a detailed discussion of the discipline of Catholic moral theology prior to Balthasar's *Nine Propositions* in 1974. The first section rehearses some of the basic features of the moral manuals which were particularly influential in the first half of the twentieth century and notes the emergence before Vatican II of a so-called 'Christological shift' in the discipline. The second section then discusses a number of key texts from the documents of Vatican II. It is striking that there was not much detailed discussion of moral theology at the council, mirrored by a relative absence of moral theologians among the bishops and theological advisors. The third section then takes up the legacy of the council in moral theology, focusing on the influential interpretation of the council by the Jesuit scholar Josef Fuchs.

The second chapter begins with the fullest account of the formation and early years of the ITC presently available in English. We argue that Balthasar is drawn into the debate regarding postconciliar moral theology due to his active participation in the work of this commission. Balthasar's first contribution is an experimental argument regarding Christian ethics at the end of the first part of *Truth is Symphonic* (1972). In the course of our discussion of this contribution we provide a detailed interpretation of an eighteenth century text by Hegel. This provides a way to introduce some of the problems regarding the place of law in salvation history which Balthasar addresses. The chapter concludes by interpreting a series of three propositions on pluralism in moral theology which the ITC agreed in 1972 and two subsequent statements on moral theology by commission member Heinz Schürmann and by Pope Paul VI.

The third and fourth chapters are then dedicated to the detailed interpretation of the text of the *Nine Propositions*. The text of the propositions themselves runs to only a thousand words and is supplemented by a commentary which runs to around five



thousand. Had the text been accepted by the ITC, it would have served as a kind of mini-constitution for postconciliar moral theology and been widely circulated within the curia and among theologians. Our interpretation of the text shows that it picks up on some of the major theological themes of Balthasar's *Glory of the Lord* and *Theo-Drama*, particularly the concepts of transportation by faith ("attunement"), person and mission. In doing so, Balthasar places the Mystery of Christ at the centre of moral theology and argues that ethical truth can only be established in lived existence – the dramatic interaction of individual and community – not simply by a legal analysis of particular acts or situations.

We will be very pleased if our discussion of the *Nine Propositions* results in a reassessment of its place in the history of postconciliar Catholic moral theology. However, our primary concern is to cast light on the concept of moral law and its relationship to the gospel. This is a question close to the heart of any account of Christian ethics. We also note, in passing, that the third phase of ecumenical dialogue between the Anglican Communion and the Catholic Church is addressing itself to the question of 'right ethical teaching'.<sup>4</sup> Interpreters of the work of the third Anglican – Roman Catholic International Commission (ARCIC III) may benefit from a better understanding of Balthasar's *Nine Propositions* and the light that this text can cast on the task of moral theology.

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<sup>4</sup> ARCIC III, *Communiqué from the meeting at Bose* [Communiqué], May 2011. Available online at: [www.anglicancommunion.org/media/105248/ARCIC\\_III\\_Bose\\_2011.pdf](http://www.anglicancommunion.org/media/105248/ARCIC_III_Bose_2011.pdf) (Last accessed: 29 December 2015).

## Chapter 1: Moral theology before the *Nine Propositions*

This chapter identifies the main problems facing moral theology in the years prior to Balthasar's *Nine Propositions*. In this period moral theology is dominated by two major events. First, the neo-Scholastic manuals of moral theology that defined the discipline in the early twentieth century were repudiated in practice by clergy and laity. Drawing on the English language secondary literature, the first section of this chapter identifies some features of these manuals. Second, Vatican II agreed a number of texts which make a series of direct and indirect comments on the discipline of moral theology. Regrettably, the English language secondary literature in Catholic moral theology tends not to engage with the texts of the council in detail. For this reason, the second section of this chapter interprets texts from *Lumen Gentium* (LG), *Optatam totius* (OT) and *Gaudium et spes* (GS) to support an account of the overall teaching of the council on moral theology. Subsequent chapters refer back to these texts on a regular basis as they analyse the postconciliar ethical proposals of the ITC (chapter two) and of Balthasar (chapters two to four). The final section of this chapter then gives an account of the immediate reception of the council by interpreting the experimental proposal advanced by Josef Fuchs in 1966. The decision to focus on Fuchs is based on his continuing influence in English language moral theology, his accessibility to English language readers, and the fact that he was at the heart of the postconciliar developments in moral theology. We raise a number of questions regarding Fuchs' ethical proposal. However, his influential initial attempt to interpret the council must be acknowledged.

### (i) *The neo-Scholastic moral manuals and the "Christological shift"*

The conventional account holds that Catholic moral theology is dominated in the early twentieth century by the neo-Scholastic moral manuals. These manuals are then repudiated in the middle of the twentieth century.<sup>1</sup> In recent years, scholars have been devoting more attention to the history of moral theology and have raised a number of questions regarding this story. These include: Whether it is accurate to refer to the moral manuals as "neo-Scholastic"? How complete the hegemony of the manuals in the early twentieth century actually is? And the relative influence on the moral manuals of twentieth century developments in dogmatic theology (e.g. *ressourcement*), biblical studies, more accurate readings of Aquinas and revisionist

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<sup>1</sup> See, e.g., Vincent MacNamara, *Faith and Ethics: Recent Roman Catholicism* (Dublin: Gill and Macmillan, 1985): 9.

work by certain moral theologians? These questions do not yet appear to have been studied in detail and this section does not address them further. Instead, this section draws on some of the existing secondary literature on this period to identify some of the fundamental topics of discussion which were inherited by the council fathers at Vatican II. The presentation begins with the manual tradition itself before setting it alongside an emerging pre-conciliar tradition of Christological revisionism.

There is no consensus in the secondary literature as to precisely when the moral manuals fell out of use in church practice. Some years ago, Raphael Gallagher claimed that there was a ‘dramatic and virtually universal collapse of the [moral] manual in the 1960s’.<sup>2</sup> More recently, Gallagher has claimed that Bernhard Häring’s *The Law of Christ* (1954) signals ‘the end of the manual era’.<sup>3</sup> At the same time MacNamara claims that ‘[t]he manual tradition continued through the forties and fifties’ and James F. Keenan claims that the neo-Scholastic manuals fell out of use ‘immediately after the [second world] war’.<sup>4</sup> All that we can say with any certainty is that the neo-Scholastic manuals of moral theology were widely used in the early twentieth century and have been little used since Vatican II.

There is not a great deal of work available in English on the twentieth century manual tradition. The best historical studies that we have been able to locate are by MacNamara and Keenan and, even then, the manual tradition is not their primary object of study.<sup>5</sup> MacNamara’s study begins (notionally) in the year 1940 when he claims that the moral manuals are still in widespread use. MacNamara presents the manuals as a single phenomenon and claims that they are dominated by the concept of law. In particular, law is the manualist’s ‘preferred way of referring to morality’

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<sup>2</sup> Raphael Gallagher, “The Fate of the Moral Manual since Saint Alphonsus,” in Enda McDonagh and Vincent MacNamara eds. *An Irish Reader in Moral Theology: The Legacy of the Last Fifty Years Vol. 1: Foundations* (Dublin: Columba Press, 2009): 59. Reprinted from Raphael Gallagher and Brendan McConvery eds. *History and Conscience: Studies in Honour of Father Sean O’Riordan* (Dublin: Gill and Macmillan, 1989): 212-239.

<sup>3</sup> Raphael Gallagher, “Bernhard Häring’s *The Law of Christ*: Reassessing Its Contribution to the Renewal of Moral Theology in Its Era,” *Studia Moralia* 44.2 (2006): 347. Gallagher claims that there is now a broad consensus on this point.

<sup>4</sup> MacNamara, *Faith and Ethics*, 14, and James F. Keenan, “Vatican II and Theological Ethics,” *Theological Studies* 74.1 (2013): 164. See also the claim by O’Meara on page 20 below that the manuals were still in regular use in 1962.

<sup>5</sup> MacNamara see note 1 above. James F. Keenan, *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences* (London/New York: Continuum, 2010). Studies which might be used to supplement our account include those of Mahoney (1987), Gallagher (1990), Pinckaers (1995), Curran (1997, 2008, 2013) and Mealey (2009). Note also that MacNamara’s account of the twentieth century movement for ‘renewal’ in moral theology in the postconciliar period (in the main text we refer to this movement as ‘revisionist’) appears heavily influenced by the summary account provided in Richard A. McCormick, “Notes on Moral Theology: 1976,” *Theological Studies* 38.1 (March 1977): 64-65.

and they imagine God as ‘the supreme legislator’.<sup>6</sup> MacNamara also reports that the manuals apply ‘to morality all the legal language of the establishment of law, its promulgation, its abrogation, dispensation from it, etc.’.<sup>7</sup> For example, he reports a claim from the fifth edition of a manual by Dominicus M. Prümmer to the effect that ‘we [Christians] cannot reach our beatitude except by obeying just laws, both divine and human.’<sup>8</sup>

MacNamara develops this account of the manual tradition by identifying a contrast between moral theology (the manuals) and ascetical theology. Specifically, MacNamara summarises the argument of Prümmer to the effect that the moral theology of the manuals is ‘defined in terms of what was essential to remaining in the state of grace and reaching eternal life’. So the moral teachings of the manuals set out the standards which the Christian is required to meet in order to receive the gift of salvation from God. (Or, at least, if the Christian fails to meet these standards he should co-operate with the saving work of God by confessing his sin.) Then, in his description of ascetical theology, MacNamara notes that the teachings of this discipline ‘do not oblige one by virtue of divine will’.<sup>9</sup> Thus, moral theology is concerned with the moral standards willed by God in order that the Christian is able to reach his or her supernatural end (salvation) whilst ascetical theology deals with questions of ‘perfection’ which are ‘admirable’ but which are not necessary for salvation.<sup>10</sup> Somewhat inconsistently, MacNamara also suggests that ascetic instructions are ‘the means by which one more securely acquired eternal life.’<sup>11</sup> This distinction between the disciplines of moral theology (manuals) and ascetical theology (perfection) appears to have involved an informal division of the Scriptures. Thus moral theologians take up the law of God, largely drawn from the Old Testament, whilst ascetical theology treats the ‘counsels of perfection’ found in the ‘new law ...[which] proposes a greater perfection.’<sup>12</sup>

A final point which we will draw from MacNamara’s study is a debate that appears to have been taking place within the manual tradition during the 1940s. According to MacNamara, Noldin claims that the ‘obligations to receive the sacraments and to believe the truths of faith’ are a Christian supplement to the natural law.<sup>13</sup> In other

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<sup>6</sup> MacNamara, *Faith and Ethics*, 10 and 11.

<sup>7</sup> MacNamara, *Faith and Ethics*, 10.

<sup>8</sup> Dominicus M. Prümmer, *Manuale Theologiae Moralis*. 5th ed. Vol. 1 (Herder: Freiburg, 1928): 98. Cited in MacNamara, *Faith and Ethics*, 11.

<sup>9</sup> MacNamara, *Faith and Ethics*, 12.

<sup>10</sup> MacNamara, *Faith and Ethics*, 10.

<sup>11</sup> MacNamara, *Faith and Ethics*, 10.

<sup>12</sup> MacNamara, *Faith and Ethics*, 10 and 12.

<sup>13</sup> MacNamara, *Faith and Ethics*, 12.

words, there are certain moral obligations which arise from faith and not from nature. After Vatican II, this is the kind of claim that is typically associated with the so-called 'faith-ethics' [*Glaubensethik*]. On the other side of the argument, is a report from Bruno Schüller that a manual by Franz Hürth and P. M. Abellán maintains the complete identity of biblical and natural law and denies that there is any moral teaching revealed solely by divine revelation and received by faith.<sup>14</sup>

The study of the moral manuals by Keenan is more detailed than that by MacNamara and identifies some of the ways in which moral theology changes during the early twentieth century. Specifically, Keenan argues that the emphasis of the manualists on the concept of law increased during the early twentieth century. The origins of the manual tradition lie 'at the end of the late eighteenth century' and by the end of the nineteenth century it was operating as a kind of 'gentleman's agreement' in which moral theologians 'endorsed the schema that the priest and the lay person could choose the opinion of whomever they wanted, as long as it was someone from their guild, and did not contradict a defined teaching.'<sup>15</sup> Keenan is interested in the fact that there is a greater diversity among the moral teachings of the manualists before the mid-twentieth century. Keenan goes on to claim that this diversity gradually reduces in the early twentieth century as moral theologians begin to rely 'more and more on ever-emerging 'teachings' from Rome.'<sup>16</sup>

According to Keenan, if a statement is made regarding a question of Christian practice by, or on behalf of, the pope then the teaching is said to be 'defined'. Keenan argues that as these defined teachings increase, the role of the moral theologian changes. Where in the eighteenth and nineteenth centuries he had been a member of a 'guild of arbiters', the moral theologian is increasingly transformed into an interpreter or expositor of the Catholic magisterium.<sup>17</sup> Keenan fills out this account in two ways. First, he notes how the dominant English language manuals in the early twentieth century begin to pay greater attention to canon law. For example, Keenan reports a comment by the manualist Henry Davis regarding the failure of his

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<sup>14</sup> Franz Hürth and P. M. Abellán, *De principiis, de virtutibus et praeceptis*, Vol. 1 (Rome: Gregorianum, 1948): 43, cited in Bruno Schüller, "Autonomous Ethics Revisited" in Joseph A. Selling ed. *Personalist Morals: Essays in Honour of Professor Louis Janssens* (Leuven: Leuven University Press, 1988): 62. It is unclear whether this manual is the same as that referred to in MacNamara, *Faith and Ethics*, 12 n23 [211].

<sup>15</sup> Keenan, *Catholic Moral Theology*, 4, 14 and 30.

<sup>16</sup> Keenan, *Catholic Moral Theology*, 13.

<sup>17</sup> Keenan, *Catholic Moral Theology*, 18. Joseph Ratzinger has contrasted the German experience with that of the United States. In 1973 he is quoted as saying that before Vatican II 'German Catholics were used to theologians who did something more than explicate Roman announcements'. Desmond O'Grady, "The Ratzinger Round," *The Month* Second New Series 6.12 (Dec 1973): 409.

predecessor ‘to incorporate ...as much of the codified Canon law as he would have wished.’ According to Keenan, Davis promoted his own work, first published in 1934, on the grounds that ‘a knowledge of Canon law is essential to the student of Moral Theology’.<sup>18</sup> Secondly, Keenan identifies the publication of the *Code of Canon Law* in 1917 as a representative moment in the expansion of papal teaching. This event ‘made moral theologians more aware that they were not the only ones offering norms for moral conduct’.<sup>19</sup> Thus it appears that the early twentieth century saw a standardisation of the minimum standards being taught in the moral manuals.

At this point, our analysis moves from the broad outlines of the manual tradition to the scholarly discussion that developed regarding the sufficiency of this tradition. In the years since MacNamara’s study was completed, further work has been undertaken regarding a pre-Vatican II “Christological shift” in moral theology. In two recent articles, Keenan and Gallagher agree that the representative text in this shift is Häring’s *The Law of Christ* (1954).<sup>20</sup> Keenan argues that Häring’s book seals the ‘Tillmann-Mersch christological shift’ in moral theology whilst Gallagher argues that ‘...[i]t was no longer possible to say that a textbook of Catholic moral theology could not be Christ-centred, charity-based and personally-formulated (Thils criticisms) after the publication of *The Law of Christ*’.<sup>21</sup> Both of these comments refer to pre-1954 work on moral theology that was seeking to revise the manual tradition.<sup>22</sup> Gallagher refers to a work by Gustave Thils (1940) and Keenan refers to works by Émile Mersch (1936, 1937, 1944) and Fritz Tillmann (1934).<sup>23</sup>

This new consensus in the secondary literature, namely that there was a preconiliar Christological shift in moral theology, would seem to be closely connected to the declining use of the moral manuals in the mid-twentieth century. At the very least,

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<sup>18</sup> Keenan, *Catholic Moral Theology*, 18.

<sup>19</sup> Keenan, *Catholic Moral Theology*, 18. Elsewhere, Nicholas Lash has claimed that this code also marked a centralising moment in the governance of the church since it included the ‘quite new claim: that the Pope had the right to appoint all bishops in the Catholic Church.’ Nicholas Lash, “What happened at Vatican II?” in *Theology for Pilgrims* (London: Darton, Longman and Todd, 2008): 247, cf. 214 and 230.

<sup>20</sup> Bernhard Häring, *Das Gesetz Christi: Moraltheologie* (Freiburg: Erich Wewel Verlag, 1954).

<sup>21</sup> James Keenan, “Vatican II and Theological Ethics,” 170; Raphael Gallagher, “Bernhard Häring’s *The Law of Christ*,” *Studia Moralia* 44.2 (2006): 347-348.

<sup>22</sup> According to Kenneth Melchin the term ‘revisionist’ is first used in David Tracy, *Blessed Rage for Order* (New York: Seabury, 1975). See Melchin, “Revisionists, Deontologists and the Structure of Moral Understanding,” *Theological Studies* 51.3 (1990): 390 n4. Melchin also considers it to be synonymous with ‘proportionalist’ but this judgment now appears dated.

<sup>23</sup> Gustave Thils, *Tendances actuelles en théologie morale* (Gembloux, 1940); Émile Mersch, *Le corps mystique du Christ: Études de théologie historique* (Brussels: Desclée de Brouwer, 1936); *Morale et corps mystique* (Paris: Desclée de Brouwer, 1937); *La théologie du corps mystique*, 2 Vols. (Paris: Desclée de Brouwer, 1944); Fritz Tillmann, *Die Idee der Nachfolge Christi* (Dusseldorf: Patmos, 1934).

the Christological shift points to a cluster of questions with which the council fathers at Vatican II had to deal. These include: to what extent does Christian ethics flow from faith in Jesus Christ and to what extent from moral law (whether biblical or natural)? What is the relationship between law and gospel? And what is the basis for the difference between ascetical theology, concerned with perfection, and moral theology, concerned with right conduct?

(ii) *Vatican II (1962-1965)*

When English language moral theologians discuss the implications of the council for Catholic moral theology they tend to focus their attention on a short passage from *Optatam totius* (OT) and excerpts from *Gaudium et spes* (GS). However, the consensus that has recently emerged regarding the preconciliar Christological shift suggests that this approach is in need of review. Our analysis begins by discussing passages from *Lumen Gentium* (LG), showing that they make an important contribution to the preconciliar questions regarding gospel and law and the relationship between ascetical and moral theology. We then go on to develop this understanding in our interpretation of the more traditional texts in OT and GS. In the course of this section we draw primarily on the recent multi-author five volume *History of Vatican II*, supplemented by Joseph Ratzinger's contemporary account of the council.<sup>24</sup> A fuller interpretation would attend to previous generations of interpreters.<sup>25</sup>

As an initial orientation, we take Ratzinger's contemporary account of the first period of the council (Autumn 1962) to be uncontroversial. In this first period Ratzinger identifies as 'a real turning point' the decision by a majority of the council fathers to vote against a text 'On the sources of revelation'.<sup>26</sup> This was one of around seventy texts which were prepared in advance of the council for discussion and approval.<sup>27</sup> According to Ratzinger this vote confirmed that '[t]he bishops were no

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<sup>24</sup> Giuseppe Alberigo and Joseph A. Komonchak, eds., *History of Vatican II: Vol. I-V* (Leuven: Peeters and Maryknoll: Orbis, 1995-2006) (henceforth "*History*, Vol. X"); Joseph Ratzinger, *Theological Highlights of Vatican II* (New York/Mahwah: Paulist, 1966). Ratzinger was appointed as a *peritus* at the council.

<sup>25</sup> Especially Herbert Vorgrimler, ed., *Commentary on the documents of Vatican II*, Vols. 1-5 (New York: Herder and Herder, 1967-1969), and René Latourelle, ed., *Vatican II: Assessments and Perspectives, Twenty-five Years After (1962-1987)*, Vols. 1-3 (New York: Paulist Press, 1988-1989).

<sup>26</sup> Ratzinger, *Highlights*, 40-48 esp 48. The Latin title of the rejected text is *De fontibus revelationis*. Giuseppe Ruggieri quotes an observation by R. Rouquette regarding the significance of this vote: 'We may think that with the vote on November 20 [1962] the era of the Counter-Reformation has come to an end and a new era, with unforeseeable consequences, has begun for Christendom.' Ruggieri, "The First Doctrinal Clash," in *History*, Vol. II, 256 n60.

<sup>27</sup> Ratzinger, *Highlights*, 19.

longer the same men they had been before the Council. ...they had discovered themselves as an episcopate, with their own powers and their own collective responsibility.’<sup>28</sup> This account helps to initiate the conventional historical narrative in which the conciliar majority found its voice during the first period in opposition to previous ‘curial dominance’.<sup>29</sup> This narrative is taken for granted in the analysis that follows. Ratzinger also details some of the practical consequences of the first period vote: there was a great reduction in the number of texts being proposed for approval by the council and those which remained were subject to substantial revision.<sup>30</sup> By the time of the council’s second period, which opened on 19 September 1963, the number of texts proposed had been reduced to sixteen, equal to the number ultimately approved by the council.<sup>31</sup>

(a) *Lumen Gentium (LG)*

LG is one of the four constitutions which comprise the most important texts of the council. It was even suggested at one point during the second period that ‘all the schemas’ be incorporated into it.<sup>32</sup> Summarising Vatican II, Nicholas Lash has identified the ordering of the chapters in LG as one of the two most significant accomplishments of the council.<sup>33</sup> This is a reference to the fact that the text starts out from ‘The Mystery of the Church’ (Ch. 1) and ‘The People of God’ (Ch. 2) before moving on to ‘The Hierarchical Constitution of the Church and in particular the Episcopate’ (Ch. 3).<sup>34</sup> This order can be contrasted with *Pastor aeternus*, the First Dogmatic Constitution on the Church of Christ from Vatican I (1868-70), which begins from the person of the pope.<sup>35</sup> Indeed, Joseph A. Komonchak reports that

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<sup>28</sup> Ratzinger, *Highlights*, 42.

<sup>29</sup> Ratzinger, *Highlights*, 48.

<sup>30</sup> The one exception was the Schema on Liturgy (*Sacrosanctum concilium*) which immediately secured broad approval.

<sup>31</sup> Ratzinger, *Highlights*, 71.

<sup>32</sup> Alberigo, “Conclusion,” in *History*, Vol. III, 496.

<sup>33</sup> Nicholas Lash, “In the spirit of Vatican II?” in *Theology for Pilgrims*, 270. cf. 229 and 247. The other achievement is the ordering of the chapters in *Dei verbum*.

<sup>34</sup> Austin Flannery ed., *The Conciliar and Postconciliar Documents*, New Revised Edition (Dublin: Dominican Publications, 1996): 350 and 359. The third chapter title is taken from Normal P. Tanner, ed., *Decrees of the Ecumenical Councils*, Vol. II (London: Sheed and Ward, 1990): 862. Tanner bases his translation on the work of Giuseppe Alberigo et al., eds., *Conciliorum Oecumenicorum Decreta* 3rd ed. (Bologna: Istituto per la Scienza Religiosa, 1973). Flannery was either working from a different version, or decided to shorten the title of chapter III.

<sup>35</sup> Tanner, *Decrees*, 811.



‘from the earliest days after Pope John XXIII had announced the Council [LG] was expected to clarify and to complement the papally centred text of Vatican I...’.<sup>36</sup>

LG is a long text and we make no attempt to be comprehensive. For example, we do not discuss the argument in chapter three regarding the hierarchy of the Church, which drew a great deal of attention at the council, or chapter four on the laity. Instead, we will identify three features of the text which have implications for postconciliar moral theology. The first of these is a tendency in the text to integrate different theological topics. As an example, we will briefly discuss the central role played by the doctrines of the Trinity and Jesus Christ in the discussion of the church (ecclesiology).

Early drafts of LG did not make much use of the doctrine of the Trinity.<sup>37</sup> However, the final version promulgated by the council affirms the importance of thinking about God in three different ways when paragraphs two, three and four discuss the mystery of the Church in terms of Father, Son and Spirit. LG 1 (paragraph one of *Lumen Gentium*) also refers to Jesus Christ as ‘the light of the nations’ and the council fathers describe themselves as being ‘gathered together in the holy Spirit’.<sup>38</sup> Taken together, these statements from the opening four paragraphs contrast with the beginning of Vatican I’s *Pastor aeternus*, which speaks of the pope who ‘determined to build a church’.<sup>39</sup>

Following this Trinitarian description of the Church, the council fathers go on to develop the Pauline metaphor of the church as the body of Christ (1 Cor 12:12-13, 27). In LG 8 the church is described according to the pattern of the formula of Chalcedon. Specifically, the text affirms both the ‘unmixed’ and the ‘unseparated’ moments of belief in Jesus’ two natures: the church ‘must not be considered as two things [unseparated], but as forming one complex reality comprising a human and a divine element [unmixed]’. The paragraph also describes the Church as ‘equipped with hierarchical structures and [as] the mystical body of Christ, a visible assembly and a spiritual community, an earthly church and a church enriched with heavenly gifts’ (unmixed).<sup>40</sup> Thus, the text affirms both of the Chalcedonian moments of belief

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<sup>36</sup> Joseph A. Komonchak, “Toward an Ecclesiology of Communion,” in *History*, Vol. IV, 37. Elsewhere in the same volume Alberto Melloni reports that the decision to place the chapter on the People of God before the chapter on the Hierarchy was made following the intervention of the Italian Bishop Gargitter at the start of the second period. Melloni, “The Beginning of the Second Period,” in *History*, Vol. III, 44.

<sup>37</sup> Melloni, “The Beginning of the Second Period,” in *History*, Vol. III, 45 and 45 n175.

<sup>38</sup> LG 1. Tanner, *Decrees*, 849, and Flannery, *Conciliar Documents*, 350.

<sup>39</sup> Tanner, *Decrees*, 811.

<sup>40</sup> LG 8. Tanner, *Decrees*, 854. A comma has been removed after ‘structures’ to emphasise the three pairs and ‘hierarchical’ has been substituted for the misprint ‘hierarchial’.

in Jesus Christ. However, it also makes four distinct references to the ‘unmixed’ moment compared with only two references to the ‘unseparated’. This can be interpreted as an attempt by the council fathers to repair the one-sided teaching of *Pastor aeternus*. With its account of the pope building a church, the nineteenth century decree demonstrates great confidence regarding the coincidence of divine and human activity within the leadership of the church. Without succumbing to the opposite problem of separating the divine and the human elements in the church, LG 8 repeatedly reminds its readers not to mix them.

This imaginative use of the Chalcedonian formula in a description of the church is typical of LG. The second feature of the text that we will highlight centres on the fifth chapter which is titled ‘The universal call to holiness in the church’.<sup>41</sup> As discussed in the previous section, the moral theology of the neo-Scholastic manuals focuses on the standards necessary to achieve salvation, whilst ascetical theology sets out the higher calling of the counsels of perfection. Lay Christians tended to focus on the requirements of moral theology through the practice of confession. Clergy were expected to maintain these standards but were also consecrated in various ways to pursue more rigorous ideals. The ‘universal call to holiness’ in LG challenges any simple distinction. In particular, LG 41 claims that:

The forms and tasks of life are many but holiness is one – that sanctity which is cultivated by all who act under God’s Spirit and, obeying the Father’s voice and adoring God the Father in spirit and in truth, follow Christ, poor, humble and cross-bearing, that they may deserve to be partakers of his glory. Each one, however, according to his own gifts and duties must steadfastly advance along the way of a living faith, which arouses hope and works through love.<sup>42</sup>

In keeping with the opening paragraphs, this passage makes a deliberate attempt to maintain the three-ness of belief in God. However, the focus of the passage is the claim that there is only one God who has issued one call and who is, in conjunction with this call, gathering together one people. This is a consequence of the Trinitarian affirmation that God only does one work.<sup>43</sup> Another way of expressing this would be to say that the passage affirms the priesthood of all believers (cf. 1 Peter 2:9): whilst individual Christians have different gifts and duties they are also similar to the extent that they are all receiving the grace to respond to the call of God in Jesus Christ.

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<sup>41</sup> This longer title is again taken from Tanner (as with Ch. 3 above). Tanner, *Decrees*, 880.

<sup>42</sup> LG 41. Flannery, *Conciliar Documents*, 398.

<sup>43</sup> For a more recent statement see Nicholas Lash, *Believing Three Ways in One God: A Reading of the Apostles’ Creed* (London: SCM, 1992): title and 52.

This aspect of LG, which draws upon an important feature of the doctrine of the Trinity, strongly endorses the incipient Christological shift in preconiliar moral theology. If the ‘call to holiness’ is a single call that is offered to all, then moral theology and ascetical theology cannot be treated as two entirely separate disciplines. Any differences between these two disciplines must be superficial when compared to the unity of God’s work. Indeed, there is one moment at which LG can be read as actually instructing moral and ascetical theologians to integrate their disciplines. In chapter two on the people of God, LG 9 notes that the *law* of this people is ‘the new commandment to love as Christ loved us (cf. Jn. 13:34).’<sup>44</sup> Having said this, though, there is another point a little later in chapter five which is more ambiguous. Here LG 42 insists that *all* Christians should go ‘beyond what is of precept in the matter of perfection, so as to conform themselves more fully to the obedient Christ’.<sup>45</sup> This has the effect of equalising the call of God on lay Christians and consecrated Christians. It also presupposes the continued existence of the moral precepts – possibly with the moral manuals in mind – arguing that everyone must consider themselves called to do more than simply conform to the minimum standards.

Without withdrawing our claim that LG calls for the integration of ascetical and moral theology, we recognise some further features of the text which challenge this interpretation. Komonchak reports that 504 council fathers suggested that chapter five on the universal call of holiness be ‘moved earlier in the schema’.<sup>46</sup> If accepted, this suggestion would have better articulated that the church is already being gathered (the People of God) and that all Christians participate in the same gracious work of God. However, this suggestion was not accepted by the council and the universal call to holiness was inserted as the fifth chapter, after the discussion of the hierarchy in chapter three and apart from the discussion of the People of God. Further, there was also an individual vote of the whole council about whether or not chapter six (‘Religious’) should be incorporated into chapter five (‘universal call to holiness’). Here the council voted that they should be kept separate by a margin of 68%-32% (total votes: 2203). This followed a campaign by a group called ‘the Bishops’ Secretariat’ which was formed after the second period by ‘bishops who belonged to religious orders’.<sup>47</sup>

It is not difficult to understand why the Catholic religious wished to be treated distinctively. Komonchak reports that Abbot Gut, speaking before the whole council,

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<sup>44</sup> LG 9. Flannery, *Conciliar Documents*, 359-360.

<sup>45</sup> LG 42. Flannery, *Conciliar Documents*, 402.

<sup>46</sup> Komonchak, “Ecclesiology of Communion,” in *History*, Vol. IV, 49.

<sup>47</sup> Komonchak, “Ecclesiology of Communion,” in *History*, Vol. IV, 46-49.

referred to chapter four of LG on the laity and asked '[i]f the laity are worthy of such an honour, why not the countless religious?'<sup>48</sup> However, the distinct treatment of religious Christians in the text is an obstacle to the argument that ascetical and moral theology should be integrated. Whilst chapter six is carefully worded to avoid claiming that there are different kinds of morality for different kinds of Christian, such a claim is implied by the chapter's existence, and many of its formulations closely approximate to this view.

So far this analysis has highlighted the centrality of the doctrines of Trinity and of Jesus Christ and the implicit though confused instruction to integrate ascetical and moral theology. The third and final part of our discussion of LG takes up the question of Chalcedonian Christology again by identifying a passage which has a different relationship with *Pastor aeternus* than LG 8. Where LG 8 highlighted the dangers of mixing the natures of Christ when imagining the church, LG 12 is more concerned that the whole people of God share in the reception of God's word with the bishops. This text, which can be found in the second chapter on the People of God, also includes one of the few explicit references to Christian morality:

The whole body of the faithful who have an anointing that comes from the holy one (cf. 1 Jn. 2:20 and 27) cannot err in matters of belief. This characteristic is shown in the supernatural appreciation of the faith of the whole people, when, "from the bishops to the last of the faithful"\* they manifest a universal consent in matters of faith and morals. By this appreciation of the faith, aroused and sustained by the Spirit of truth, the People of God, guided by the sacred teaching authority, and obeying it, receives not the mere word of men, but truly the word of God (cf. 1 Th. 2:13), the faith once for all delivered to the saints (cf. Jude 3). The People unfailingly adheres to this faith, penetrates it more deeply with right judgment, and applies it more fully in daily life.<sup>49</sup>

\*[=n8] See Augustine, *De Praed. Sanct.* 14, 27.

The dominant doctrinal theme in this passage is belief in God the Spirit. In the first sentence this is alluded to in the 'anointing' of the faithful, in the second sentence 'the supernatural appreciation of the faith', and in the third there is an explicit reference to 'the Spirit'. Moreover the question that is being treated is something like: how do Christians know what is true in questions of 'faith and morals'?

Interpreting this passage it is important to recall that the text as a whole is responding both to a centralisation in the church during the early twentieth century (cf. Keenan

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<sup>48</sup> Komonchak, "Ecclesiology of Communion," in *History*, Vol. IV, 48.

<sup>49</sup> LG 12. Flannery, *Conciliar Documents*, 363.

above) and to a text on the Church from Vatican I (*Pastor aeternus*) which has great confidence in the identification of the work of the pope and of God. By strongly emphasising that the whole People of God can participate in the identification of Christian faith and morals, the passage is including the whole people in the confident identification which was previously made between the pope and the work of God. The quotation from Augustine is then serving a conciliatory role, by explicitly including bishops within the one People of God the quotation guards against any separation between lay Christians/clergy and bishops. It is only when the entire people agrees – that is lay Christians, clergy and bishops – that the word on which they agree can be called ‘truly the word of God’.

When read alongside LG 8, it is clear that LG 12 is taking a very different approach. Despite the safeguard provided by the Augustine quotation, LG 12 repeats the one-sidedness of *Pastor aeternus* when it uses the phrases ‘cannot err in matters of belief’ and ‘truly the word of God’. These express great confidence that, where there is unanimity within the people of God, that God is truly known. Moreover, the reference to morals implies that this process might give access to God’s morality. Thus, LG 12 focuses on the relationship between bishops and the whole people of God whilst LG 8 focuses on the way in which the divine and the human elements of the church are conceived. Despite the explicit reference to morals in LG 12, any interpretation of the council from the perspective of moral theology will need to take account of the concerns of LG 8 as well as LG 12.

#### (b) *Optatam totius (OT)*

To contemporary readers the fact that the council makes its most explicit comment on moral theology in a declaration on the formation of Priests can appear strange. However, Thomas O’Meara reports that ‘[a]s Vatican II began in 1962, Roman Catholic moral theology was found in seminaries, houses of studies for religious orders, and the orders themselves. The ethics for clergy and laity came from textbooks whose Aristotelian language and theological conceptuality were neo-Scholastic...’.<sup>50</sup> This supports our earlier claim that the moral manuals were primarily being used by clergy in the practice of confession (or the sacrament of penance). However, it also explains why the question of moral theology arose, unavoidably, in a statement on the formation of priests. It is in the seminaries where priests were

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<sup>50</sup> Thomas O’Meara, “Interpreting Thomas Aquinas: Aspects of the Dominican School of Moral Theology in the Twentieth Century,” in *The Ethics of Aquinas*, Stephen J. Pope ed. (Washington: Georgetown University Press, 2002): 358. We have made a minor stylistic alteration to this quotation.

taught moral theology both to prepare them to hear confession and as the basic behavioural requirement for their ministry.

Taken as a whole, OT treats the training and education of priests and makes detailed proposals for the 'revision of ecclesiastical studies'. The declaration explains that at the start of their studies ordinands 'should already have received that literary and scientific education which is a prerequisite to higher studies in their country.'<sup>51</sup> They should also know Latin, the liturgical language of their rite and are encouraged to have learned the biblical languages. When they move into their ecclesiastical studies, i.e. their direct preparation for the priesthood, the text directs that they should be taught philosophy and dogmatic theology in an integrated fashion. It also states that scholastic philosophy should be complemented by 'modern philosophical studies, especially those which have greater influence in their own country...'.<sup>52</sup> It is only after this discussion that the text turns to the '[o]ther subjects in theology' which ordinands are expected to be taught, namely, moral theology, canon law, church history and liturgy:

In like manner the other theological subjects should be renewed through a more vivid contact with the Mystery of Christ and the history of salvation. Special care should be given to the perfecting [*perficiendae*] of moral theology. Its scientific presentation should draw more fully on the teaching of holy Scripture and should throw light upon the exalted vocation of the faithful in Christ and their obligation [*obligationem*] to bring forth fruit in charity for the life of the world. In the same way the teaching of canon law and Church history should take into account the mystery of the Church, as it was set forth in the Dogmatic Constitution *De Ecclesia* [=LG], promulgated by this Council. Sacred liturgy, which is to be regarded as the first and indispensable source of the true Christian spirit, should be taught as prescribed in articles 15 and 16 of the Constitution on Sacred Liturgy.<sup>53</sup>

Before interpreting this text it is helpful to quote from an autobiographical account that has been provided by Häring, one of the few moral theologians who served as a theological advisor at the council (*peritus*):

When in the next-to-last vote on priestly formation (OT), many Council Fathers demanded a clear prohibition of legalistic books on moral theology, the responsible Commission asked me to try to deal with these requests. At first I presented my doubts about condemnations: for then one would have to carefully describe what one was condemning, and not much would be gained thereby. Thus I formulated the following constructive suggestion: "Special

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<sup>51</sup> OT 13. Flannery, *Conciliar Documents*, 717.

<sup>52</sup> OT 15. Flannery, *Conciliar Documents*, 718.

<sup>53</sup> OT 16. Flannery, *Conciliar Documents*, 720.

care should be given to the perfecting of moral theology. Its scientific presentation should draw more fully on the teaching of Holy Scripture and should throw light upon the exalted vocation of the faithful in Christ and their mission [*Sendung*] to bear fruit in love for the life of the world” (No. 16). The text was presented for its own vote and was almost unanimously approved.<sup>54</sup>

In this account Häring explains that he drafted the second and third sentences of OT 16 as a single unit in response to requests from some of the council fathers that the ‘legalistic books on moral theology’ be condemned. We will take this to be a reference to the neo-Scholastic moral manuals which MacNamara reports were dominated by the concept of law. Häring’s two sentence response to the moral manuals was voted on individually before the work of the commission was agreed by the whole council. (This assumes that the vote which Häring refers to is a vote of the commission responsible for drafting OT).

Häring’s account implies that OT 16 is the closest that the council gets to commenting on the fact that the moral manuals were rapidly falling out of use. Häring explains that there was a movement among the council fathers to endorse this repudiation on the grounds that the manuals were ‘legalistic’. This suggests that the question of the relationship between gospel and law was at the heart of the theological critique of the manuals. Häring’s response to this request, which received the approval of the commission and the council, is to avoid a simple condemnation. Instead, Häring sets moral theologians the task of ‘perfecting’ moral theology. This is an important term because ‘perfecting’ is the activity that is usually associated with the consecrated ascetical life.<sup>55</sup> Thus, Häring is repeating the call discerned in LG that moral and ascetical theology need to be integrated. Indeed, the moral theologian Norbert Rigali has characterised this text as mandating ‘the creating of a new theological discipline of Christian life’.<sup>56</sup> Keenan offers a similar formulation when he claims that this phrase marks the point at which ‘the issue of Christian perfection was reinserted into the ambit of moral theology.’<sup>57</sup> The different names that Rigali and Keenan give to the postconciliar discipline – “Christian life” or “moral theology” – make little difference so long as moral theology is ‘perfected’ by integrating it with ascetical theology.

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<sup>54</sup> Häring, *My Witness for the Church* (New York: Paulist Press, 1992): 60. GO: *Meine Erfahrung mit der Kirche* (Freiburg: Herder, 1989): 73-74.

<sup>55</sup> The requirement that ascetical theology be integrated into moral theology is obscured in two of the most well-known English translations of OT when they render *perficiendae* as ‘improvement’: Walter Abbott, ed., *The Documents of Vatican II* (Chicago: Follett, 1966): 452, and Tanner, *Decrees*, 956.

<sup>56</sup> Norbert Rigali, “From ‘Moral Theology’ to the ‘Theology of the Christian Life’: An Overview” *Origins* 34.6 (24 June 2004): 87.

<sup>57</sup> Keenan, *Catholic Moral Theology*, 12.

Another point in support of this interpretation is the fact that OT 16 strongly endorses the incipient Christological shift in preconiliar moral theology. Firstly, the reference to ‘the exalted vocation of the faithful’ is described as a vocation ‘in Christ’. Second, there is a high level statement in the first sentence regarding the importance of the Mystery of Christ and the history of salvation for moral theology (as well as the other theological disciplines). Regrettably, from the very earliest commentaries on this council text, moral theologians have tended to begin their quotations of OT 16 from the words ‘Special care...’. This includes the studies by MacNamara and Keenan, as well as the article cited by Rigali.<sup>58</sup> There appear to be two reasons for this practice. In the first place, many will have been aware of the role played by Häring in the drafting of this passage and decided to begin their quotation from the first words of his contribution. In the second place, some moral theologians, such as John Mahoney, interpret this text as a ‘rebuke’ for their discipline and focus on the fact that the fathers had singled their discipline out for ‘attention’.<sup>59</sup> However, the testimony of Häring establishes that the passage was deliberately worded in order to avoid condemnations. Moreover, by habitually overlooking the first sentence of the OT 16 passage, moral theologians are overlooking its endorsement of the revisionists’ preconiliar Christological shift. For this reason we suggest that future quotations from OT 16 should be expanded to include the first sentence of the passage.

Concluding our discussion of OT 16 we note that there is an inconsistency which we have been unable to resolve between Häring’s account and the final text. Specifically, Häring refers to the ‘mission’ [*Sendung*] of the faithful where the final text of OT uses the term ‘obligation’.<sup>60</sup> It is possible that Häring has failed to recall accurately the text which he suggested to the preparatory commission, but it may also be the case that his proposal was altered slightly prior to the final promulgation of the text by the Council.

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<sup>58</sup> MacNamara, *Faith and Ethics*, 17; Keenan, *Catholic Moral Theology*, 95; Rigali, “From ‘Moral Theology’ to the ‘Theology of the Christian Life’”, 87. To this list can be added Häring, *Road to Relevance* (New York: Alba, 1970): iii, (although Häring proceeds to read the text in terms of the preceding sentence), Fuchs, “Moral Theology according to Vatican II” in *Human Values and Christian Morality* (Dublin: Gill and MacMillan, 1970): 1, (Fuchs includes the full quotation in a footnote but stresses the section which begins ‘Special care...’), and Mahoney, *The Making of Moral Theology: A Study of the Roman Catholic Tradition* (Oxford: Clarendon, 1987): 303.

<sup>59</sup> Mahoney, *Making of Moral Theology*, 303.

<sup>60</sup> Latin text uses the term ‘*obligationem*’ which is rendered in the German translation as ‘*Verpflichtung*’. Available online at:  
[www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_decree\\_19651028\\_optatam-totius\\_lt.html](http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19651028_optatam-totius_lt.html) (Latin)  
[www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_decree\\_19651028\\_optatam-totius\\_ge.html](http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19651028_optatam-totius_ge.html) (German). Both last accessed: 29 December 2015.



(c) *Gaudium et spes* (GS)

It was noted earlier that the vote in the first session of the council against the draft text on the sources of revelation was followed by a reduction in the number of texts proposed for agreement by the council from around seventy to sixteen. As part of this process the draft text ‘On morality’ was one of a number of texts to be incorporated into what became *Gaudium et spes* (GS).<sup>61</sup> (At this stage, i.e. before the second session of the council, this new text was known as Schema XIII.) The notional incorporation of ‘On morality’ into Schema XIII is one explanation for the focus which GS has received from English language moral theologians since the council.<sup>62</sup> Another reason is the prominent role played by Häring in the drafting of GS. Before discussing two of the passages in GS which are most important for postconciliar moral theology, we will first rehearse the basic stages through which the text developed. This is necessary in order to establish that there is little opportunity for GS to have influenced the content of the other council texts. When Alexander Carter claims immediately after the council that the argument of OT flows from the dogmatic constitution on the church (LG) and from the pastoral constitution (GS), he must be incorrect.<sup>63</sup> LG was promulgated on 21 November 1964, leaving plenty of time for it to influence OT which was only promulgated on 28 October 1965. However, the final draft of GS was not produced until shortly before the final period of the council (September 1965). By this stage LG had been promulgated and the text of OT had been broadly settled. A second reason for rehearsing the textual history of GS is that it allows us to introduce the question of the relationship of this text to LG/OT. Here the main interpretative question is how attention to the modern world can be thought together with the Christological account of the church and the unity of God’s work. This question has vexed council participants and interpreters from the 1960s until the present day.

In *History of Vatican II* (“History”), Gilles Routhier reports a comment by J. Prignon at the start of the fourth and final period of the council that the version of GS which is to be presented to the council fathers ‘would certainly be the last and that the text had been drafted with the knowledge that there would be no sixth version.’<sup>64</sup> Prompted by this comment, it is possible to identify the five different versions which

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<sup>61</sup> Ratzinger, *Highlights*, 28.

<sup>62</sup> For a comparison of GS with the text of *De Ordine Morali* (the Latin title of “On Morality”) see Michael Callahan, “The Changing Face of Catholic Moral Theology: From the Constitution *De Ordine Morali* to *Gaudium et Spes*,” *Louvain Studies* 3.1 (1970): 41-50.

<sup>63</sup> Alexander Carter, “Introduction,” in *The Documents of Vatican II*, edited by Walter Abbott, 434.

<sup>64</sup> J. Prignon private papers (17 September 1965) cited in Gilles Routhier, “Finishing the Work Begun: The Trying Experience of The Fourth Period,” in *History*, Vol. V, 127.

the text went through between the end of the council's first period and the beginning of the fourth.

After the seventy preconiliar texts were rejected during the first period of the council, Häring reports that two separate drafts for GS were prepared. First, a sub-commission in Rome produced a draft from various preconiliar texts such as 'On morality'. Then, dismissing this text as inadequate, a new draft was prepared by a group of theologians convened by Cardinal Suenens and including Karl Rahner.<sup>65</sup> During the second period of the council (1963) a joint (or 'mixed') commission was given responsibility for what was now called Schema XIII. It comprised 'the Doctrinal Commission and the complete Commission for the Lay Apostolate'. These commissions had been elected by the council fathers in the first period and worked in the background during the council, drafting texts and considering amendments. The joint commission debated which of the two draft texts represented the best place to start. This debate proved inconclusive and Häring was put in charge of producing a third version of the text. Häring attributes this decision to his suggestion that the work be organised around the concept of the 'signs of the times'.<sup>66</sup> This concept was retained in subsequent versions and can be found, in the final version of the text, in the first sentence of the introduction (GS 4).

The third version, produced under Häring's direction, is reported to have been very long. This helps to explain how the final text of GS promulgated by the council ended up running to 23 335 words, more than 40% longer than the second longest council text (LG: 16 200 words).<sup>67</sup> Due to the length of the text, the mixed commission only had time to discuss the first part in detail, which meant that the draft was presented for discussion by the Council in its third period (1964) in the form of a shorter text (later part one of GS) and four Annexes (later part two of GS).<sup>68</sup> This process caused Ratzinger some concern since the council only debated part one in the third period, whilst the long Annexes were carried forward without scrutiny.<sup>69</sup> Ratzinger also reports that the third period discussion by the council 'yielded only a general approval of the direction and the aim of the effort. ...the

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<sup>65</sup> Häring, *My Witness*, 60-61.

<sup>66</sup> Häring, *My Witness*, 61, cf. Mt. 16:3. The inspiration for Häring's suggestion may have been the Apostolic Constitution *Humanae Salutis* (25 December 1961) which convoked Vatican II. Peter Hebblethwaite reports that this is the first text in which John XXIII uses the concept: Hebblethwaite, "Liberation Theology and the Roman Catholic Church," in *Cambridge Companion to Liberation Theology*, edited by Christopher Rowland, 2nd Edition (Cambridge: CUP, 2007): 210 n5 [227].

<sup>67</sup> Abbott, "Preface to the Translation," in *The Documents of Vatican II*, ix.

<sup>68</sup> Häring, *My Witness*, 62.

<sup>69</sup> Ratzinger, *Highlights*, 215.

fathers also ordered a thoroughgoing revision of the text.<sup>70</sup> This revision took place between the third and fourth periods of the council.

Elsewhere in *History*, Ricardo Burigana and Giovanni Turbanti report that at some point around 16 November 1964, i.e. during the third period, Häring was replaced by 'P. Haubtmann as editor-in-chief.'<sup>71</sup> Haubtmann was a French professor of sociology and, following the third period of the Council, drafted a fourth version whilst residing in Paris. Whilst Haubtmann consulted widely, it is reported that this fourth version was largely his own work. Burigana and Turbanti also report four theological topics about which Haubtmann wanted to consult theologians such as Daniélou, Congar, Rahner and Semmelroth. One of these is a topic of obvious interest to moral theology: 'the relations that exist between human activity (individual and collective) and the kingdom (here below and in glory)'.<sup>72</sup>

Haubtmann presented his new fourth draft to a 'meeting of all the subcommissions in Ariccia, February 1-6, 1965'.<sup>73</sup> Here, Burigana and Turbanti report that his new version was accepted 'as a basis for the doctrinal section' (i.e. part one) but not, by implication, for part two. This would explain Ratzinger's comment regarding the text presented to the Council in the fourth period that '[t]he second part ...leaned more on Häring's [third] draft'.<sup>74</sup> The fourth version of the text appears, therefore, to have been Haubtmann's new draft of part one and a revised version of Häring's part two (still, at this point, in the form of Annexes). However, this fourth version was itself subject to substantial revision after Ariccia. At the meeting, Karol Wojtyła presented an alternative and unofficial draft which had been prepared by a group in Kraków and criticised Haubtmann's text as being 'too optimistic in its approach to the problems of modern people'. Whilst Haubtmann's version was preferred to the Kraków draft, 'the subcommission decided to correct it as far as possible in light of Wojtyła's criticisms'.<sup>75</sup> Thus, in the period between the February meeting in Ariccia and the beginning of the final period of the council, the subcommission appears to have produced a fifth version which responded to the criticisms which had been

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<sup>70</sup> Ratzinger, *Highlights*, 216.

<sup>71</sup> Ricardo Burigana and Giovanni Turbanti, "The Intersession: Preparing the Conclusion of the Council," in *History*, Vol. IV, 520.

<sup>72</sup> Burigana and Turbanti, "The Intersession," 523 n159.

<sup>73</sup> Burigana and Turbanti, "The Intersession," 524. Cf. Häring, *My Witness*, 63 and Ratzinger, *Highlights*, 216.

<sup>74</sup> Ratzinger, *Highlights*, 217.

<sup>75</sup> Burigana and Turbanti, "The Intersession," 525.

made. It was, then, in the September before the fourth and final period of the council that Prignon is reported as insisting that ‘there would be no sixth version.’<sup>76</sup>

This account establishes that the second part of GS was not discussed by the council fathers until its final period in Autumn 1965. It has also established that the final draft version of the text was only completed shortly before this final period. Thus, there was little opportunity for the work on GS to influence LG or OT. There remains, however, a second interpretative question regarding the relationship between GS and LG/OT. On this point we have been unable to reconcile the account of the fourth period debate of GS in *History* with the contemporary account provided by Ratzinger.

The near unanimity of the authors of the *History* is a product of their practice of trying to reach a common view. In his preface to volume five, the editor, Giuseppe Alberigo, explains that ‘[t]he collaborators in this volume repeatedly compared their work at joint meetings.’<sup>77</sup> Moreover, in the case of GS, Routhier acknowledges the direct influence of Turbanti’s doctoral dissertation on his account of the fourth period debate of GS.<sup>78</sup> Our analysis has not been able to consult Turbanti’s dissertation, but it would be interesting to establish whether it is the source of the shared perspective in *History* and of the subsequent conflict with Ratzinger’s account.

The inconsistency turns on the kind of criticisms that were levelled at GS during the fourth period by *periti* (theological advisors) close to the German episcopate. In volume five of *History*, Turbanti provides a short discussion of the summer of 1965 and identifies two different kinds of criticism facing GS. First, the French theologian L. Lebreton criticises the text for not paying sufficient attention to the world outside western culture. Second, Karl Rahner criticises the text for, among other things, ‘the excessive emphasis given to sociology’ and ‘the inadequacy of the theological perspective’. Turbanti claims that the commission preparing the text for discussion will have interpreted these criticisms as appearing ‘to come from opposite sides’. It is not easy to understand what this means. On one level, Turbanti makes clear that Lebreton had the support of ‘the French bishops as a body’ for some of his criticisms, whilst Rahner’s were accepted in part by the ‘German episcopate’. However, regional differences are not a persuasive interpretation as the council had seen substantial cooperation between representatives from across the world. A better interpretation of Turbanti’s claim is his observation earlier in his account that the

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<sup>76</sup> See note 64 above.

<sup>77</sup> Alberigo, “Preface,” in *History*, Vol. V, xiv.

<sup>78</sup> Routhier, “Finishing the Work,” in *History*, Vol. V, 123 n300. cf. Turbanti, *Un concilio per il mondo moderno: La redazione della costituzione Gaudium et spes del Vaticano II* (Bologna, 2000).

French theologian Yves Congar was concerned that ‘the schema could be attacked from standpoints dictated by divergent and even opposite presuppositions’.<sup>79</sup> This promises a more plausible account of Turbanti’s ‘opposite sides’ because it suggests that they were grounded in the substance of the text. Thus, greater attention to the world (Lebret) and a more explicit ‘theological perspective’ (Rahner) are apparently opposed to one another at the level of their presuppositions.

We propose that the interpretation of the opposition to GS by the authors of *History* is grounded in a distinction between ‘changeless’ doctrine, on the one hand, and ‘changeable’ experience of the modern world, on the other. We have adopted this distinction from the excellent article on the influence of Redemptorist pastoral theology on GS by William McDonough.<sup>80</sup> This article will be discussed further below. McDonough’s distinction may have been in use during the council and seems to be the best candidate to account for Turbanti’s understanding of the ‘opposite sides’. On Turbanti’s reading, Rahner was pressing for a greater prominence for the changeless truths of Christian theology whilst Lebret was pressing for greater attention to the changeable diversity of the modern world.<sup>81</sup>

In *History*, Routhier takes over the account of GS from Turbanti once the fifth draft has been prepared and just before the start of the fourth period of the Council. He sets the scene with the claim that ‘[t]here was ...such disagreement on the doctrinal perspective to be adopted that it threatened to break down the important Franco-German coalition and, more broadly, the Central European coalition, which had from the outset exercised real leadership at the Council.’<sup>82</sup> This disagreement provoked a series of meetings of which the most important appears to have been between the French and German episcopates on 17 September.<sup>83</sup> In his account of this meeting Routhier reports a judgement by Prignon that the French episcopate was happy with the first part of the text and critical of the second, whilst the Germans were unhappy with the first part and content with the second. Routhier also reports the claim by Prignon that Ratzinger ‘...attacked the text radically and violently’.<sup>84</sup> These

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<sup>79</sup> Turbanti, “Toward the Fourth Period,” in *History*, Vol. V, 42.

<sup>80</sup> William McDonough, “‘New Terrain’ and a ‘Stumbling Block’ in Redemptorist Contributions to *Gaudium et spes*,” *Studia Moralia* 35.1 (1997): 37. Available online at: [www.studiamoralia.org/sm/archivio/SM\\_35-1\\_1997/SM\\_35-1.pdf](http://www.studiamoralia.org/sm/archivio/SM_35-1_1997/SM_35-1.pdf) (Last accessed: 29 December 2015).

<sup>81</sup> It is also worth noting that this distinction occurs in passing in OT 16: ‘They should learn to seek the solution of human problems in the light of revelation, to apply its eternal truths to the changing conditions of human affairs, and...’ (emphasis added). Flannery, *Conciliar Documents*, 720.

<sup>82</sup> Routhier, “Finishing the Work,” 125-126.

<sup>83</sup> Routhier, “Finishing the Work,” 127.

<sup>84</sup> Routhier, “Finishing the Work,” 126.

criticisms by Ratzinger presumably followed from a critical article which he had published that summer.<sup>85</sup> Prignon's impatient language regarding Ratzinger's criticisms can be attributed to the heat of the moment. By this stage a lot of work had been put into the text and it was still uncertain whether it would be accepted by the council. So far the council had only discussed the third version of part one of the text and it was about to be asked to debate and approve a new (fifth) version of part one and a lengthy second part which it had never previously discussed.

Perhaps as a result of the positive assessment of GS by Turbanti, Routhier has trouble accounting for the strength of the criticisms of GS. On the one hand, he acknowledges weaknesses in the arguments of the text's defenders. In addition to the German episcopate, Routhier quotes from the diary of the French Jesuit Henri de Lubac to the effect that '...too many people of good will, who are incompetent and superficial, are clinging to this schema: Where will it lead?'<sup>86</sup> Moreover, Routhier accepts that most of the defenders of GS at the 17 September meeting 'dealt with possibilities' and urged that a rejection of the text would involve 'disappointing the world's expectations'.<sup>87</sup> Then, when the text was presented to the council in the fourth and final period, Routhier notes that the introductory 'report was more an introduction of the authorities who supported the schema than a report on the schema itself.'<sup>88</sup> On the other hand, Routhier overlooks the weakness of the defence and the strength of the criticism when he claims that the text tried to achieve 'the ultimate goal of the Council's work as envisaged by John XXIII and maintained by Paul VI and the entire Council...'.<sup>89</sup> This has the unfortunate implication that the critics of the text were seeking to frustrate the goal of the entire Council.

The weakest part of Routhier's account is his attempt to summarise the opposition to GS arising from the German episcopate in the final period debate. This analysis has already noted that Rahner and Ratzinger both criticised the text in the run up to the fourth period. Indeed, Otto Semmelroth, a former student of Rahner, was still hoping 'that the schema would be entrusted to a postconciliar commission' on 7 October.<sup>90</sup> However, Routhier accepts at face value that Cardinal Döpfner, who criticised GS during the fourth period discussion 'on behalf of ninety-one German speaking

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<sup>85</sup> Joseph Ratzinger, "Angesichts der Welt von heute: Überlegungen zur Konfrontation mit der Kirche in Schema XIII," *Wort und Wahrheit* 20 (August-September 1965): 49-54.

<sup>86</sup> Entry from 27 September quoted in Routhier, "Finishing the Work," 126.

<sup>87</sup> Routhier, "Finishing the Work," 128.

<sup>88</sup> Routhier, "Finishing the Work," 133.

<sup>89</sup> Routhier, "Finishing the Work," 128.

<sup>90</sup> Routhier, "Finishing the Work," 176 n511.

fathers', spoke for the entire German episcopate.<sup>91</sup> Routhier's account of this intervention runs as follows:

The German school, whose sensibilities were closer to those of the Lutherans and undoubtedly bore the impress of recent tragic history, called for a clear distinction between the natural and supernatural orders. Döpfner was the one who most clearly presented this demand of the German-speaking group, a demand rooted in Ratzinger's sharp critique of the schema.<sup>92</sup>

The references in this passage to 'the Lutherans' and to 'recent tragic history' is an unpersuasive psychological explanation for the criticism of GS by German speaking fathers. The Lutheran reference derives from a meeting held on 21 September between Haubtmann and observers from Reformed and Lutheran churches. These observers had apparently criticised GS because 'it does not state clearly enough the reality of sin and does not take into account the great struggle between God and Satan that goes on in the world.' These criticisms, whilst problematic, will not be investigated further. In addition to this summary, Routhier reports a comment from Haubtmann's diary entry from the evening of the meeting: '[t]here is far from unanimous agreement on this question: 'Is the kerygma to be given priority or, on the contrary, should we begin with the natural order in order to end with Christ?''<sup>93</sup> This question presupposes that 'changeless' doctrine and 'changeable' experience are in competition. In these terms, Lebreton will have been pulling in the direction of experience and Rahner in the direction of doctrine.

As just noted, Döpfner's insistence on 'a clear distinction between the natural and supernatural orders' is interpreted by Routhier as a product of 'recent tragic history'. In other words, because German Christians suffered in the Second World War they are unable to participate fully in the optimistic opening of the Church to the world. This is unsatisfactory because it assumes that the German participants in the council were determined by their history. It also leaves a number of loose ends. For example, how does Routhier interpret the scepticism about the schema expressed by Henri de Lubac? And what is to be made of Haubtmann's private summary of the meeting with the Lutherans in which he places 'changeless' doctrine and 'changeable' experience into competition?

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<sup>91</sup> Routhier, "Finishing the Work," 134 n343.

<sup>92</sup> Routhier, "Finishing the Work," 138.

<sup>93</sup> Routhier, "Finishing the Work," 129.

Another point on which Routhier is open to question is his claim that Döpfner's criticisms are 'rooted in Ratzinger's sharp critique of the schema'. Ratzinger's contemporary account runs as follows:

One easily got the impression that the authors [of GS] themselves saw the christological and centrally Christian statements as only acceptable on faith, that they considered this world of faith a kind of second world alongside the first and immediate world of ordinary daily life, and that they felt that people should not be prematurely and unnecessarily bothered with the second world. But how then could faith make its claim on the centre of man's existence? Doesn't this really reduce faith to an ideology for those who need such a refuge apart from reality? If theology is really going to move out from behind the walls of specialised science, it must be courageous enough to do this wholeheartedly. It must not in the name of caution leave its finest values hidden there. The debate on this text taught us that lesson.<sup>94</sup>

In this passage Ratzinger criticises GS for placing an 'immediate world of ordinary daily life' into competition for attention with a 'world of faith'. This view, which Ratzinger criticises, appears to be identical with the difficulty which Haubtmann notes in his diary on 21 September and appears to have been *accepted* by Routhier and the other authors of *History*. Ratzinger is not arguing for 'a clear distinction between natural and supernatural orders' but that the natural and supernatural orders need always to be thought together.

To summarise this discussion: Turbanti assumes that greater attention to the (changeable) world and a more explicit (changeless) theological perspective are two distinct views which are opposed to each other. Routhier's account of the 'German school' presupposes Turbanti's distinction. For Routhier, supporters of GS were open to the world, whilst opponents criticised the text for theological inadequacy. Without stating it explicitly, Routhier strongly implies that the German critics of GS were taking the side of the curial minority: '[w]ith a large number of fathers offering the same criticisms on the crucial point of the schema's theology, the Germans found themselves with strange bedfellows.'<sup>95</sup>

Ratzinger offers a different account of his criticisms: GS changes the account of Christian doctrine being taught by the council. LG treats the church, faith and morals using the doctrines of the Trinity and Jesus Christ because these are the conceptual tools used by the People of God to describe and organise their every-day experience. GS – at least on the testimony of Ratzinger and in the accounts of Turbanti and

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<sup>94</sup> Ratzinger, *Highlights*, 221-222.

<sup>95</sup> Routhier, "Finishing the Work," 138.



Routhier – relegates Christian belief and doctrine to a secondary concern, introduced after a discussion of the distinct phenomena of modern life. Ratzinger’s criticism of GS does not fit into the dualistic analysis of Turbanti and Routhier because he does not assume that doctrine and experience are in opposition to each other. The result is that Ratzinger’s important critique of GS is not included in the *History* because the authors cannot make sense of it. They continue to interpret GS in terms of the opposition between the conciliar majority – who wished to be open to the world – and the conciliar minority – who wished to assert the unchanging doctrinal truths of the church. This may be a persuasive account of the first period debate. However, it runs into serious problems when considering the fourth period debate over GS. The criticism of GS by figures such as Ratzinger and Rahner is not a retreat into curial obstruction but a theological debate regarding the consistency of GS with the line already taken in texts like LG and OT.

In a final comment on the interpretation of GS in *History*, we note that the kinds of criticism advanced by Ratzinger are hinted at in the work of Peter Hünemann. In keeping with his colleagues, Hünemann is very positive about GS: ‘[s]o deeply did Catholic Christendom identify with the document that its key words came to describe the entire conciliar message.’<sup>96</sup> However, he also acknowledges (without giving any references) some subsequent objections to the text. Of these, the ‘more serious objections’ are ‘that the Council did not keep to the line taken in LG, but over lengthy stretches fell back into thinking based on natural law.’ To this claim, Hünemann responds that ‘the vision set down in this document and the overall direction it gave the Church seem more important.’<sup>97</sup> This response seems rather weak.

So far we have shown that it is unlikely that the text of GS influenced the texts of LG and OT. We have also shown that GS was criticised by some *periti* for presupposing a different account of doctrine than that in LG and OT. This latter point gains significance when it is noted that the interpretations of the council in English language moral theology have tended to focus on GS. The final task of this section will be to interpret two sections in GS which anticipate subsequent developments in moral theology. The first of these is a section on conscience in GS 16:

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<sup>96</sup> Peter Hünemann, “The Final Weeks of the Council,” in *History*, Vol. V, 423.

<sup>97</sup> Hünemann, “The Final Weeks of the Council,” 426.

16. Deep within his conscience man discovers a law which he has not laid upon himself but which he must obey. Its voice, ever calling him to love and to do what is good and to avoid evil, tells him inwardly at the right moment: do this, shun that. For man has in his heart a law inscribed by God. His dignity lies in observing this law, and by it he will be judged.\* His conscience is man's most secret core, and his sanctuary. There he is alone with God whose voice echoes in his depths.\*\* By conscience, in a wonderful way, that law is made known which is fulfilled in the love of God and of one's neighbour.\*\*\* Through loyalty to conscience Christians are joined to other men in the search for truth and for the right solution to so many moral problems which arise both in the life of individuals and from social relationships. Hence, the more a correct conscience prevails, the more do persons and groups turn aside from blind choice and try to be guided by the objective norms of morality. ...<sup>98</sup>

\* – Rm 2, 14-16.

\*\* – Pius XII, "Radio Message," AAS 44 (1952): 271.

\*\*\* – See Mt 22, 37-40; Gal 5, 14.

There is a tradition in English language moral theology which objects that the teaching on conscience in this passage is incoherent.<sup>99</sup> We agree that there is no single reading that successfully interprets all aspects of this complex text. This does not mean, however, that the text should be disregarded. Rather, the inconsistency requires that postconciliar moral theologians find a consensus reading in which the meaning of the text harmonises with the meaning of the council as a whole. This will require an adjudication between the different elements of the text. In support of this task we offer some preliminary suggestions. Then in chapter two we will discuss the interpretation of this text by the International Theological Commission and in chapter four we discuss Balthasar's alternative reading in the *Nine Propositions*.

In this preliminary discussion, we draw on the excellent historical work of McDonough who provides important information regarding the drafting of the text. Specifically, McDonough attributes the references to the 'love' of good and to 'man's most secret core' to the Redemptorist moralist Domenico Capone. These suggestions by Capone were added to the text fairly late in the process by means of

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<sup>98</sup> GS 16. Flannery, *Conciliar Documents*, 916-917. We have made two emendations. First, the final three words of the quotation have been altered to better reflect the Latin original: '...normis obiectivis moralitatis...' Tanner, *Decrees*, 1078. Second, the first footnote has been altered. Flannery renders it as 'Cf. Rom 2:15-16'. Tanner, working from the same primary source (*Sacrosanctum Oecumenicum Concilium Vaticanum II: Constitutiones, Decreta, Declarationes*, Vatican City, 1966) gives the footnote as 'See Rom 2:14-16'. Vorgrimler's commentary from 1969 supports Tanner's edition as it claims that this article quotes 'Rom 2:14ff.'. Herbert Vorgrimler ed., *Commentary on the Documents of Vatican II, Vol. V* (London: Burns & Oates, 1969): 135.

<sup>99</sup> Linda Hogan, *Confronting the Truth* (London: Darton, Longman and Todd, 2001): 109. Hogan draws on the earlier declaration of incoherence by James Gaffney in *Matters of Faith and Morals* (Kansas City: Sheed and Ward, 1987): 128-130.

an amendment tabled by Häring.<sup>100</sup> Following Karl Golser, McDonough interprets these changes as effecting ‘a move from understanding conscience as “an organ of law” to understanding it “as the transcendental orientation of the person to the good, as a call to love.”’<sup>101</sup> This appears to mean that where the earlier parts of GS 16 imagine conscience as the internal application of laws to situations, the later texts of Capone and Häring seek to recover what McDonough terms the “Augustinian” account of conscience as the secret heart of the individual. This later view represents conscience as the sphere within which the good can exert its attractive power.

McDonough’s interpretation of the text, which draws on the work of Golser, allows the ambiguity of GS 16 to be specified as follows. The majority of the quoted passage discusses conscience as a kind of self-consciousness which includes within itself a factor “X” and the freedom and spontaneity to respond and make use of that factor. To put this in medieval terms, the council is using conscience to refer to both ‘*synderesis*’ (spontaneity) and ‘*conscientia*’ (the moral rule). The reference, in the penultimate sentence, to ‘loyalty to conscience’, shows that the council does not consider the identification of the factor that applies to a particular situation to be a question of freedom. Whilst the relevant factor may not immediately be obvious, the task is to identify it and follow it. The questions for the individual, then, are whether or not one exercises diligence in searching for the relevant factor and whether or not one (freely) conforms to that factor once it has been found.

McDonough’s primary contribution is to point out the two different accounts of this factor “X” in the text. On the one hand, there is an account of this factor as ‘law’. This is what McDonough means by calling conscience an ‘organ of law’ and appears to be the sense of the earlier parts of GS 16. On the other hand, there is an account of this factor as the voice of God and/or the call of the good. The first interpretation makes sense of sentences one, three, four and nine. The second interpretation makes sense of sentences two and six. These latter are both sentences which McDonough identifies as last minute additions by Capone through Häring.<sup>102</sup> There is no means to reconcile these interpretations: is the ‘factor’ in this paragraph a set of moral laws, ‘objective moral norms’ in the words of sentence nine, or is it the voice of God? The adjudication between these two interpretations will require some parts of this text to be overlooked in favour of others. This is necessary if consensus is going to

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<sup>100</sup> McDonough, “New Terrain,” 13. The full reference to this article can be found at footnote 80 above.

<sup>101</sup> McDonough, “New Terrain,” 13. Citing Golser, “Das Gewissen als ‘Verborgenste Mitte im Menschen’,” in *Grundlagen und Probleme der heutigen Moraltheologie*, edited by Wilhelm Ernst (Würzburg: Echter Verlag, 1989).

<sup>102</sup> McDonough, “New Terrain,” 13.

be reached regarding the teaching of the council on moral theology. We will revisit this challenging interpretative task in chapters two and four.

The second text to be discussed from GS is taken from its second part which deals with a number of ‘urgent problems’ such as ‘the dignity of marriage and the family’ (paras 47-52) and the ‘avoidance of war’ (paras 79-82).<sup>103</sup> Specifically, the quotation is taken from GS 51 which forms part of the discussion of marriage:

When it is a question of harmonizing married love with responsible transmission of life, it is not enough to take only the good intention and the evaluation of motives into account; the objective criteria must be used, criteria drawn from the nature of the human person and human action, criteria which respect the total meaning of mutual self-giving and human procreation in the context of true love; all this is possible only if the virtue of married chastity is seriously practiced. In questions of birth regulation the sons of the Church, faithful to these principles, are forbidden to use methods disapproved of by the teaching authority of the Church in its interpretation of the divine law [n14].<sup>104</sup>

The wording of this text has resulted in it carrying significance beyond the confines of the Christian understanding of marriage. As Richard McCormick has noted, the reference to ‘objective criteria’ which are ‘drawn from the nature of the human person and human action’ endorses a kind of natural law morality. The significance of this is heightened by ‘[t]he official commentary’ on this passage which claims that it is a paradigm example of postconciliar moral reasoning. Thus, its significance extends beyond questions of marriage and sexuality.<sup>105</sup> McCormick overemphasises the significance of the official commentary, which can only be treated as authoritative if it is a reliable guide to the teaching of the whole council on moral theology. Moreover, the commentary would appear to be inaccurate when it claims that ‘the person integrally and adequately considered’ is the measure of all human action.<sup>106</sup> The text of GS 51 claims that it is a set of ‘criteria’ drawn both from the ‘human person and human action’ which is the measure of right conduct in the practice of birth control. Thus, a set of good practices might lead to the definition of an objective criterion as easily as a consideration of the nature of human personhood.

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<sup>103</sup> Part Two of the text is titled ‘Some more urgent problems’ and these two examples are taken from chapters one and five respectively. Flannery, *Conciliar Documents*, 948, 949 and 988.

<sup>104</sup> GS 51. Flannery, *Conciliar Documents*, 955.

<sup>105</sup> Richard A. McCormick, “Moral Theology 1940-1989: An Overview,” *Theological Studies* 50.1 (1989): 16. The official commentary that McCormick cites is *Schema constitutionis pastoralis de ecclesia in mundo huius temporis: Expensio modorum partis secundae* (Vatican Press, 1965): 37-38. We have not been able to establish who authored this text.

<sup>106</sup> McCormick, “Moral Theology 1940-1989,” 16. McCormick quotes from the official commentary.

A second problem with the official commentary is that it does not reconcile the reference to human nature with the reference to ‘divine law’ at the end of the quoted passage. It may be that the council fathers intended to follow the approach of the moral manuals in which natural objective criteria (natural law) are clarified in the divine (biblical) law. However, if this passage is intended as a template of perfected moral theology – as required by OT 16 – then it remains unclear what relation the council fathers envisage between natural/biblical law and the ideals of ascetical theology.

Another significant feature of GS 51 for our analysis is the fact that it anticipates the official report of the Pontifical Commission on Population, Family and Birth to be considered in the next section of this chapter. As far as we can determine, very few moral theologians were invited to attend the council as *periti*. Indeed, we have only been able to identify three: Philippe Delhay (Lille), Bernhard Häring (Lateran/Alphonsian<sup>107</sup>) and the elderly Franz Hürth (Gregorian).<sup>108</sup> At the same time, a steadily increasing number of moral theologians during the council period were being appointed to the Pontifical Commission. In its earliest form, this commission did not include any theologians. However, around the time of the council’s second period Paul VI appointed five moral theologians as members: Häring, Jan Visser (Lateran/Alphonsian), Josef Fuchs (Gregorian), Marcelino Zalba (Gregorian) and Pierre de Loch (Louvain/National Centre of Family Pastoral Work<sup>109</sup>).<sup>110</sup> Then, around the time of the third period, Paul VI added an additional forty-three members including the moral theologians Alfons Auer (Tübingen), Delhay and John Ford (Catholic University of America).<sup>111</sup> Thus, moral theologians

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<sup>107</sup> Robert Blair Kaiser reports that Häring ‘taught moral theology at the Pontifical Lateran University’. Kaiser, *The Encyclical That Never Was: The Story of the Pontifical Commission on Population, Family and Birth, 1964-66*, Revised Edition (London: Sheed and Ward, 1987): 72. Häring reports that he was called to Rome to teach at the Alphonsian, a new educational institution of the Redemptorist order. He taught one semester per year between 1950 and 1953, and appears to have returned to the staff following a four year break in 1957. It is not clear whether he was still teaching at the Alphonsian during the Council. Häring, *My Witness*, 33-35.

<sup>108</sup> John Courtney Murray was appointed as a *peritus* during the second session but has never taught moral theology. Louis Janssens (Louvain) was working as a moral theologian during this period but only appears to have participated at the council on an informal basis (Julie Clague, “Moral Theology and Doctrinal Change,” in *Moral Theology for the Twenty-First Century*, ed. Bernard Hoose et al. (London: T&T Clark, 2008): 70.)

<sup>109</sup> Robert McClory, *Turning Point: The Inside Story of the Papal Birth Control Commission* (New York: Crossroad, 1995): 47, and Kaiser, *Encyclical*, 299.

<sup>110</sup> Mark Graham, *Josef Fuchs on Natural Law* (Washington: Georgetown University Press, 2002): 87 n18 [107], and Kaiser, *Encyclical*, 72.

<sup>111</sup> McClory, *Turning Point*, 62 and 189-190. According to Hans Küng this was the response by Paul VI to interventions during the third period of the council in favour of opening the question of birth control practices by Patriarch Maximos, Cardinal Léger and Cardinal Suenens: Küng, *Disputed Truth: Memoirs II*, trans. John Bowden (London: Continuum, 2007), 52.

appear to have been far more directly engaged in the work of this non-conciliar commission than in the work of the council.

The only exception to this finding is that some moral theologians were also called on to help with the drafting of the chapter on marriage in GS.<sup>112</sup> This includes the passage just quoted from GS 51. In light of this, it is interesting to note that the concept of ‘objective criteria’ plays a prominent role in the official report of the Pontifical Commission. Indeed, it is possible that the inclusion of this concept in GS 51 is due to those members of the Pontifical Commission who were involved in reviewing amendments for this chapter in the final period of the council. It would be interesting to establish in the future precisely how this paragraph was drafted and how this concept came to be a part of it.

(iii) *Fuchs’ ethical experiment: the Mystery of Christ and the natural law*

The pressures facing the discipline of moral theology immediately after the council are numerous. Most importantly, moral theologians had to deal with the popular and scholarly repudiation of the neo-Scholastic manuals of moral theology. This was a major disruption to the discipline which is not commented on in any detail by the council texts. Instead, there is a high level instruction from LG and OT 16 to merge ascetical and moral theology and a general commendation of the Christological shift in moral theology. A second source of pressure, then, is the fact that more moral theologians were involved in the work of the non-conciliar Pontifical Commission on Population, Family and Birth than in the council itself. Thus, moral theologians will have received the texts of the council as a work largely undertaken by others and which bequeathed to them a difficult task of revision and clarification.

The main discussion in moral theology that emerges from the council period goes on to dominate the discipline well into the 1970s. Indeed, Ann Marie Mealey has recently suggested that the debate has never been satisfactorily resolved.<sup>113</sup> The debate goes under a variety of names including, the debate concerning the specificity of Christian morality, the distinctiveness of Christian morality and the *proprium* of Christian morality. Those who enter the debate by affirming the specificity/distinctiveness/*proprium* of Christian morality are said to teach a faith-ethic (*Glaubensethik*). The name of those who deny the specificity is less uniform.

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<sup>112</sup> A list is provided in Hünemann, “The Final Weeks of the Council” in *History*, Vol. V, 408 n72.

<sup>113</sup> Ann Marie Mealey, *The Identity of Christian Morality* (Aldershot: Ashgate, 2009): 4.

The English language secondary literature often refers to this debate as if it appeared out of nowhere in the early 1970s.<sup>114</sup> In fact, we have already noted one piece of evidence in the first section of this chapter that the debate existed within the manual tradition before the council. The neo-Scholastic manual by Noldin argues that there were some moral claims that depend solely on revelation whilst the manual by Hürth and Abellán is reported as denying this. The debate appears to have become more highly charged during the council period and is the main topic of conversation in moral theology from 1966 onwards. Here, the first piece of evidence is a quotation from Häring, provided by MacNamara, in which the former criticises ‘the incredible idea that the moral teaching of the New Testament does not provide any new content to natural law morality but only new motivation.’<sup>115</sup> In this quotation Häring presupposes the continuing relevance of natural law morality, but is critical of the claim that Christian revelation only produces a stronger motivation or ability to keep the natural law. Häring insists that faith in Christ must bring new moral content that was not previously available through natural law.

The second piece of evidence is Franz Böckle’s insistence that the discussion concerning the specificity of Christian morality began at ‘a conference at Lund in 1966 organised by the *Societas Ethica*’.<sup>116</sup> The third piece of evidence is the claim by James J. Walter that ‘[t]he earliest discussion of the uniqueness of Christian morality that occurs after the close of Vatican II was the XXVIII Week of French Catholic Intellectuals (March 2-8, 1966).’<sup>117</sup>

We are not aware of any attempt by English language moral theologians to trace the debate concerning the specificity of Christian morality through the debates of the council, or back to the neo-Scholastic manuals. This would seem to be a product of a wider tendency among English language moral theologians to avoid commenting on

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<sup>114</sup> For two examples of “from nowhere” accounts see Charles Curran, *Catholic Moral Theology in the United States: A History* (Washington: Georgetown University Press, 2008): 144, and Richard A. McCormick, “Notes on Moral Theology: 1976,” *Theological Studies* 38.1 (March 1977): 64-65.

<sup>115</sup> Bernhard Häring, *Moralverkündigung nach dem Konzil* (Bergen-Enkheim: Kaffke, 1966): 72, translated by and cited in MacNamara, *Faith and Ethics*, 56. See also ET in Häring, *Road to Relevance*, 66.

<sup>116</sup> Franz Böckle, *Fundamental Moral Theology* trans. N. D. Smith (Dublin: Gill and Macmillan, 1980 [1977]): 223 n2 [303-304]. Italics added. Presumably this is a reference to the beginning of the postconciliar stage of this debate among moral theologians. Among the papers delivered at this conference were K. E. Løgstrup, “Das Proprium der christlichen Ethos” and Franz Böckle, “Was ist das Proprium einer christlichen Ethik?” *Zeitschrift für evangelische Ethik* 11 (1967): 135-147 and 148-159.

<sup>117</sup> James J. Walter, “The Question of the Uniqueness of Christian Morality: An Historical and Critical Analysis of the Debate in Roman Catholic Ethics,” in *Method and Catholic Moral Theology: The Ongoing Reconstruction*, edited by Todd A. Salzman, 160 n15 [172]. Omaha: Creighton, 1999. Walter adds that ‘the results of this meeting were published in *Recherches et Débats* 55 (1966).’

the council period and the council texts in detail. To return to the secondary literature rehearsed in the first section of the chapter, MacNamara and Keenan both largely avoid the task of interpreting the teaching of the council on moral theology despite the fact that they are offering studies of the discipline which include the council period. They restrict themselves to conventional discussions of OT 16 and make passing reference to GS.<sup>118</sup> The best examples of detailed discussion of council texts that we are aware of are either translated into English or are not written by moral theologians.<sup>119</sup> Indeed, if Keenan's study is representative, English language moral theologians still rely heavily upon the interpretation offered by Josef Fuchs immediately after the council.<sup>120</sup> This dependence is unnerving when one recognises that the council poses profound questions about the future of the discipline, instructing that it be integrated with ascetical theology and supporting the preconciliar Christological shift.

Due to his continuing influence, the remainder of this chapter will interpret three influential texts by Josef Fuchs composed in the years immediately after the council. The first is the journal article published in mid-1966 cited by Keenan.<sup>121</sup> The second is the official report of the Pontifical Commission completed on 26 May 1966 in which Fuchs played a substantial role.<sup>122</sup> (This report is sometimes referred to inaccurately as the 'Majority Report' as a result of confusion surrounding its first publication in the United States.<sup>123</sup>) The third is a famous lecture regarding the specificity of Christian morality from December 1968 (first published in 1970).<sup>124</sup>

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<sup>118</sup> Keenan also makes one passing reference to LG: *Catholic Moral Theology*, 142, whilst MacNamara refers three times to *Dei verbum* (Dogmatic Constitution on Divine Revelation): *Faith and Ethics*, 17, 69-70 and 74.

<sup>119</sup> We have based our textual approach to the council on Häring (1989) and Lash (2008: Ch.18). The most extensive discussions on the texts of the council by English language moral theologians that we have found are: McDonough (1997), Bretzke (1999) and Hogan (2001: Ch.4).

<sup>120</sup> Keenan, *Catholic Moral Theology*, 95 n63 [107]. For a reference to Fuchs' study see note 121 below.

<sup>121</sup> Josef Fuchs, "Theologia moralis perficienda; votum Concilii Vaticani II," *Periodica de re morali, canonica, liturgica* 55 No. 2/3 (1966): 499-548; ET: "Moral Theology according to Vatican II," in *Human Values and Christian Morality* (Dublin: Gill and MacMillan, 1970): 1-55. Note that the title of the English version is not a full translation. We provide our own translation on p.40 below.

<sup>122</sup> Josef Fuchs, Pierre de Locht, Michel Labourdette, Raymond Sigmond, Alfons Auer and Paul Anciaux, "Final Report of the Pontifical Commission on Population, Family, and Birth" ('official report'). The official report was first published in *The Tablet* (22 April 1967) and has been reprinted in Kaiser, *Encyclical*, 1-18. The claim regarding Fuchs's role is based upon Graham, *Josef Fuchs*, 95. Keenan makes the same claim but incorrectly cites McClory as its source. Keenan, *Catholic Moral Theology*, 121 and 121n33. In fact, McClory only provides a list of authors: *Turning Point*, 109-110. The claim thus depends upon Graham's use of the word 'primarily'.

<sup>123</sup> The story of confusion at the National Catholic Reporter (US) is rehearsed in Robert McClory, *Turning Point* (New York: Crossroad, 1995): 134.

<sup>124</sup> Fuchs, 'Gibt es eine spezifisch christliche Moral?' *Stimmen der Zeit* 185(2) (1970): 99-112; ET: "Is There a Specifically Christian Morality?" in Richard A. McCormick (ed.) *Readings in Moral*



Each of these texts is still cited by English language moral theologians in monographs or textbooks.<sup>125</sup> By exploring Fuchs' influential interpretation of the meaning of the council for postconciliar moral theology, we will identify some of the issues and concerns which Balthasar subsequently addresses himself to in the *Nine Propositions*.

It has already been noted that Fuchs is one of the earliest theological appointments to the Pontifical Commission and that he is involved in the analysis of amendments to the chapter on marriage in GS. Keenan, following Kaiser, reports that Fuchs abstained from teaching at the Gregorian in the academic year 1965-66 as he did not wish to teach moral theology whilst he harboured doubts about permissible birth control practices. Keenan also notes that Fuchs instructed the Gregorian University Press not to republish his work on sexual ethics, *De Castitate et Ordine Sexuali* (1959).<sup>126</sup> Fuchs used this time to compose his interpretation of the council for moral theology: 'Moral Theology Perfected: The Wishes of Vatican II'.<sup>127</sup> The evidence suggests that the article was written before Fuchs drafted the official report of the Pontifical Commission. However, this evidence is limited.<sup>128</sup>

In this article, first published in 1966, Fuchs takes up a central question posed for moral theologians by the texts of the council. On the one hand, there is a clear teaching in OT 16 and LG that moral theology be merged with ascetical theology.<sup>129</sup>

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*Theology No. 2: The Distinctiveness of Christian Ethics* (New York: Paulist, 1980): 3-19; "Is There a Distinctively Christian Morality?" in *Personal Responsibility and Christian Morality* (Dublin: Gill and MacMillan/Washington: Georgetown University Press, 1983): 53-68.

<sup>125</sup> The first article is cited by Keenan (2010) and Mealey (2009: 20-24). The official report is regularly referred to in discussions of the *Humanae vitae* controversy. The lecture is referred to in Pinckaers (1995: 100-103) and MacNamara (1985: 40). Indeed, MacNamara describes it as 'seminal'. However, he also dates the text incorrectly. Whilst the lecture was first published in 1970, it was written for delivery to university students in Zürich in December 1968. Fuchs, *Personal Responsibility*, 229, and Curran and McCormick eds., *Readings in Moral Theology No.2*, 3n1 [19]. (This latter note also lists a number of articles by Fuchs which were written in response to the scholarly debates which the lecture provoked in Germany and Italy.)

<sup>126</sup> Keenan, *Catholic Moral Theology*, 122, citing Kaiser, *Encyclical*, 206. See also Graham, *Josef Fuchs*, 90, and McClory, *Turning Point*, 122.

<sup>127</sup> This is my translation of the title noted in 121 above. The use of 'improvement' as a translation for '*perficienda*' continues the tendency of English translators to prevent the reader from hearing the ascetical resonance. See the discussion of the translation of OT 16 in note 55 above.

<sup>128</sup> The 1966 article ('Moral Theology Perfected') was first published in Volume 55 Number 2/3 of the Gregorian University journal *Periodica de re morali, canonica, liturgica*. The journal numbers are undated but the British Library has stamped its copy of number 2/3 (a joint edition) as received in "June 1966". Assuming that the journal needed a little time for preparation, it is likely that Fuchs completed the article before he came to draft the official report of the pontifical commission which was initially submitted on 26 May 1966. For the latter date see Graham, *Josef Fuchs*, 95.

<sup>129</sup> Fuchs reports that some of his contemporaries had started to refer to 'ascetical theology' as 'spiritual theology'. He also claims that some neo-Scholastic manualists used to refer to 'ascetical theology' as 'mystical theology'. Fuchs, "Moral Theology according to Vatican II," 33. These claims do not affect the argument of this chapter regarding the teaching of Vatican II that moral theology be

Fuchs' focus on the challenge of integrating moral and ascetical theology is indicated by his reference to the 'perfecting' of moral theology in the title of the article. At the same time, though, Fuchs is also concerned to understand what this change means for the use of natural law in moral theology. This second concern finds expression when Fuchs explains that:

When the Second Vatican Council made the person of Christ the centre of moral theology it certainly had no intention of excluding from that discipline all consideration of man and the morality peculiar to mankind – 'natural law'.<sup>130</sup>

This text captures all of the important components, starting with the instruction in OT 16 regarding the centrality of the Mystery of Christ. We have interpreted this in the previous section as an endorsement, by the council fathers, of the incipient Christological shift in preconciliar moral theology and a desire to integrate moral and ascetical theology. Fuchs agrees that the council teaches that moral theology should make Jesus Christ central. However, he raises an important question for the discipline of moral theology: what does this mean for arguments on the basis of natural law? As we have seen, natural law is endorsed explicitly in a small number of texts in GS 16 and 51 and it is possible to read allusions to it in other texts from the council. However, Hünemann notes that the explicit references to natural law are one of the reasons why GS received so much criticism in the final period of the council. Thus, Fuchs is raising a question that is important for moral theologians and which has not been definitively resolved by the texts of the council. In his 1966 article, Fuchs attempts to articulate the continuing need for natural law reasoning, but in a way that does not isolate the pastoral constitution (GS) from the rest of the council. This attempt to resolve the problem without pitting the council texts against each other is laudable. Moreover, his proposed solution has some very interesting features. There is not space in this section to consider the merits of Fuchs' argument in comprehensive detail. Instead, we will attempt a tentative analysis of his argument viewed with assistance from the formula of Chalcedon. The results suggest that a

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reformed in order to include ascetical/mystical/spiritual theology. This argument is underpinned by the claim in LG that there is only one call to holiness.

For the avoidance of doubt it should be noted that this thesis uses the terms dogmatic theology and doctrinal theology interchangeably. It also treats Christian ethics, theological ethics and moral theology as synonyms (but, for clarity, tends to use moral theology.) This approach is not consistent with the dominant preconciliar (neo-Scholastic) Catholic classification which divided doctrine into dogmatic and fundamental theology. (At least according to John P. Galvin, "Jesus Christ" in Francis Schüssler Fiorenza and Galvin eds. *Systematic Theology: Roman Catholic Perspectives* 2<sup>nd</sup> Ed. (Minneapolis: Fortress Press, 2011): 256.)

<sup>130</sup> Fuchs, "Moral Theology according to Vatican II," 3-4.

Christological approach might prove fruitful if one were to investigate Fuchs' postconciliar moral theology in more detail.

The reasons for considering Fuchs' article from the perspective of the formula of Chalcedon are threefold. First, OT 16 invites a Christological investigation of moral theology when it claims that the discipline 'should be renewed through a more vivid contact with the Mystery of Christ.' Second, although Fuchs does not claim to be using the formula of Chalcedon in his article, there are hints which suggest that he was experimenting with ways in which the person of Christ could cast light on the structure or logic of post-conciliar moral theology. Third, Balthasar's attempt to articulate a postconciliar moral theology in the *Nine Propositions* is heavily focused on the Mystery of Christ, as we shall see in chapter three.

The two passages where Fuchs' appears most clearly to be experimenting with a new Christological approach to moral theology are separated by a few pages:

[1] ...when the Council places Christ in the centre of moral theology it views him in thoroughly scriptural light – as the God-*man*. Moral theology, therefore, conformably to the Council's wishes, is not to abstract from man. By doing so it becomes a supernatural abstraction. It must be a moral theology of *man* and, as such, must include the moral 'law of nature'. But it must be borne in mind that moral theology does not treat of man in the raw, so to speak, but of Christian man, of man called by God 'in Christ'.<sup>131</sup>

[2] As a matter of fact moral theologians not infrequently divide the domain of morality into two spheres, the Christian and the non-Christian, the latter being regarded as 'natural law morality'. This distinction, however, calls for substantial qualifications; it might, indeed, be better if it were dropped entirely. In fact, the morality that the Council describes as the exalted vocation in Christ appears to be the one and only morality appointed for humanity without distinction: man, according to God's decree, is simply and solely man called in Christ. It is merely incidental that not all of mankind know and accept the divine call with the same explicitness. If we consider this, not subjectively from the viewpoint of our own knowledge, but objectively as part of the ordering of things by God's providence, we can get little satisfaction from the familiar theory that Christians have ready at hand the moral elements which non-Christians have to discover for themselves (and then only incompletely). This theory may be formally unimpeachable but it would be better to say that non-Christians largely share Christian morality, and this is true despite the fact that Christian morality contains 'supernatural' as well as 'natural' elements, since its prototype is the God-man Christ.<sup>132</sup>

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<sup>131</sup> Fuchs, "Moral Theology according to Vatican II," 7-8.

<sup>132</sup> Fuchs, "Moral Theology according to Vatican II," 14.

The first passage can be read in terms of an experimental extension of the Chalcedonian description of the Church, noted in the interpretation of LG 8 above, to moral theology. This is ambitious because, in its traditional use, the formula of Chalcedon applies only to belief in Jesus Christ. The council fathers extended this metaphor to the Church in LG 8 after the manner of Paul's metaphor of the church as the body of Christ (1 Cor 12:12-13,27). However, there is no equivalent biblical metaphor by which to extend it to the treatment of moral law.

Although Fuchs' never makes this completely explicit, his experimental Chalcedonian argument appears to involve associating 'natural law morality' with the human nature of Jesus Christ. This allows one to understand Fuchs' claim that if postconciliar moral theology stops paying attention to natural law then it will become a 'supernatural abstraction'. This would be a problem akin to the Christological problem of only confessing the divinity of Christ. Implied in this experimental suggestion is that one must equate Jesus's divine nature with some kind of Christian moral law, which we will refer to, for simplicity, as biblical law. Thus, if Fuchs were to spell out a fully Chalcedonian argument at this point he would join the two natures of Jesus to two kinds of law, biblical and natural.

The argument of the second passage is difficult to discern. However, we interpret it as concerned with the same problem, namely the relationship in postconciliar moral theology between natural law and biblical law. In his interpretation of this passage, MacNamara refers to Fuchs' initial claim as a summary of moral theology 'along traditional lines'. In other words, MacNamara takes the first sentence to be a summary of neo-Scholastic moral theology.<sup>133</sup> However, this does not seem to get into the heart of the question troubling Fuchs. Specifically, Fuchs is concerned with an opposition which is drawn 'not infrequently' between Christian and non-Christian morality. Without researching the manual tradition in more detail, it is unclear whether this was a familiar feature of preconciliar moral theology as MacNamara claims. We noted earlier a difference within the manual tradition between Noldin and Hürth and Abellán which implies that Christian and non-Christian (i.e. natural) morality were not typically or systematically opposed to one another. Similarly, Fuchs comment later in the passage when he refers to the 'familiar theory that Christians have ready at hand the moral elements which non-Christians have to discover for themselves' would appear to be more typical of the manual tradition, although further research would be needed to confirm this. This second claim by Fuchs accepts that everyone – Christian and non-Christian – has access to the natural

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<sup>133</sup> MacNamara, *Faith and Ethics*, 53.

law. However, Christians are able to determine moral truth more reliably by reference to the Scriptures whereas non-Christians only have reference to the vaguer natural law. On this account, natural law and biblical law are not opposed to one another, but the former is vaguer than the latter.

Whatever the precise relation to the manual tradition, Fuchs' primary concern in this passage appears to be to prevent biblical law from being opposed to natural law morality, arguing instead that the two forms of morality should be taken together. Before offering some tentative criticisms of Fuchs' approach, it is worth noting the strengths of the argument that Fuchs is offering. As Fuchs explains in the third sentence, the council teaches that there is only one vocation in Christ (LG 41).<sup>134</sup> Fuchs goes on to claim that this vocation is given to all humanity, which is an uncontroversial repetition of the claim in LG 3 that: '[a]ll men are called to this union with Christ, who is the light of the world, from whom we go forth, through whom we live, and towards whom our whole life is directed.'<sup>135</sup> Indeed, Häring reports elsewhere that a draft text was withdrawn during the council's preparatory phase because it did not include a statement regarding God's universal will for salvation.<sup>136</sup> By noting this, Fuchs asks how can it be possible for there to be an opposition between biblical and natural law morality if God calls the whole of humanity in the same way.

Fuchs argues that because of the universality of the call of God in Christ, there can be no division of morality into biblical and natural. This argument has the advantage that it is clearly grounded in the Mystery of Christ. After all, the universal call of God to humanity is received through Christ. Secondly, by suggesting that biblical and natural law must be aligned, Fuchs is showing how the references to the natural law in GS can be read as consistent with the focus on the Scriptures and the Mystery of Christ in OT and LG. Thirdly and finally, by insisting that biblical and natural law reflect the same objective 'ordering of things by God's providence' Fuchs avoids the possibility that there can be a fundamental moral conflict between Christian morality and the natural moral law. Fuchs confirms that he is concerned about this possibility elsewhere in the article when he discusses the claim in OT 16 that moral theology should be 'more thoroughly nourished by scriptural teaching'. Fuchs immediately counters that this 'does not exactly mean that the nourishment should take the form of arguments drawn from the Bible for particular principles and particular norms of

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<sup>134</sup> The language of 'the exalted vocation in Christ' also alludes to OT 16.

<sup>135</sup> LG 3. Flannery, *Conciliar Documents*, 351.

<sup>136</sup> Häring, *My Witness*, 43-44.

morality.’<sup>137</sup> The school of thought within postconciliar moral theology which did attempt this became known as the ‘faith-ethic’. Fuchs’ argument against this approach is that it overlooks the fact that moral arguments drawn from the bible will necessarily draw the same conclusions as those grounded in natural law reasoning.

An evaluation of Fuchs’ proposal for postconciliar moral theology, and its implications for the development of faith-ethics, is far broader than an interpretation of these passages. However, it is worth noting that the Christological references which Fuchs makes are as much an obstacle to his argument as an advantage. To put this another way, Fuchs’ experimental connection between morality and the person of Christ is not entirely successful and this may explain why he never makes it fully explicit. This in turn raises a question for future research about how successful Fuchs ever was at placing the Mystery of Christ – which the Chalcedonian formula summarises – at the centre of moral theology.

The first point to recall is that, in the first quoted passage, Fuchs associates the natural law with the human nature of Christ. This implies that the biblical law is associated with the divine nature of Christ. Fuchs then expands on this relationship in the final sentence of the second quoted passage when he claims that ‘Christian morality contains ‘supernatural’ as well as ‘natural’ elements, since its prototype is the God-man Christ.’ This is the point at which Fuchs is most explicit about the Chalcedonian form of the argument that he is trying to make. As the formula makes clear, Jesus Christ is one person in two natures. Similarly, Christian morality is one thing which combines supernatural and natural elements. We have been referring to these ‘elements’ that Fuchs refers to as biblical and natural law.

What may be read as Fuchs’ experimental Chalcedonian formulation of Christian morality is bold and imaginative. However, it can be criticised tentatively for failing to account for the difference between the supernatural and natural elements. In particular, when Fuchs argues that non-Christians ‘largely share’ Christian morality because they grasp the natural law the comparison to the Chalcedonian formula breaks down. One is not able to say similarly that someone largely shares a Christian understanding of Jesus Christ because they confess that he is a man. Moreover, without a similar statement, parallel to the other nature of Christ in the Chalcedonian formula, it is unclear how Fuchs’ references to the God-man in the first and second quoted passages can be used to support his account of postconciliar moral theology.

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<sup>137</sup> Fuchs, “Moral Theology according to Vatican II,” 26.

With one possible exception, Fuchs never provided a more detailed interpretation of the council than that found in his 1966 article.<sup>138</sup> Four years after this article, Fuchs is making claims such as the following: '[i]n the Decree on Priestly Formation (*Optatam totius*) the Second Vatican Council called for a thorough renewal of moral theology; ...It should not be overlooked that in the Pastoral Constitution of the same Council on the Church in the Modern World (*Gaudium et spes*) a different stress and trend appear.'<sup>139</sup> This comment suggests that Fuchs began to believe that his interpretation of the council was grounded more firmly in GS than in OT and LG. The question that this poses for future research, is whether and how Fuchs postconciliar use of natural law can be understood as fulfilling the requirements of OT and LG as well as GS? Indeed, we are not aware of studies by Keenan or any other English language scholar which show in detail how the teachings on moral theology in LG and OT can be read together with the natural law passages in GS.

Leaving aside the experimental Christological formulations, the aspect of Fuchs 1966 article to which he becomes increasingly committed, at least in the following few years, is that divine, i.e. biblical, and natural law cannot be opposed to one another and that there is only a single moral law which is simultaneously Christian and human. This observation leads us on to the two other texts by Fuchs listed at the start of this section. The first is the official report of the Pontifical Commission.

An important difference between 'Moral Theology Perfected' and the official report – both written around the same time – is that the latter cannot restrict itself to tentative suggestions. Thus, whilst Fuchs only *proposes* the merger of the natural and divine (biblical) laws in his 1966 article, the official report takes this for granted in its analysis of permissible birth control techniques. Thus, the official report describes the church as '[u]nfolding the natural and divine law...'.<sup>140</sup> The point here is that the natural and divine law is singular, implying that the law which the church unfolds is ambiguously natural and divine. GS 51, cited in the previous section, only refers to the church as expounding the divine law. As the report continues, it largely ceases to refer to 'the natural and divine law' in favour of the concept of 'objective criteria'. Christian married couples are expected to operate with a single morality of 'objective criteria'. This new concept is, of course, to be found in GS 51 and, as we have

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<sup>138</sup> It might be argued that the following text is as detailed as the 1966 article: Josef Fuchs, "A Harmonization of the Conciliar Statements on Christian Moral Theology," in *Vatican II: Assessments and Perspectives, Twenty-five Years After (1962-1987)*, Vol. 2, René Latourelle ed. (New York: Paulist Press, 1989): 479-500. We have not included this article in our analysis.

<sup>139</sup> Fuchs, "Preface," in *Human Values and Christian Morality* (Dublin: Gill and MacMillan, 1970): vii.

<sup>140</sup> Fuchs et al., "Final Report," in Kaiser, *Encyclical*, 6.

already noted, it would be an interesting question for future research to establish the route by which this term was included in that council text. The way in which it is used in the official report is as a basis for ‘obligatory norms’ which are simultaneously biblical and natural: ‘the church must propose obligatory norms of human and Christian life...’.<sup>141</sup> The following passages demonstrate the prominent role taken by this new concept:

#### Chapter IV: The Objective Criterion of Morality

The question comes up which many men rightly think to be of great importance, at least practically: what are the objective criteria by which to choose a method of reconciling the needs of marital life with a right ordering of this life to fruitfulness in the procreation and education of offspring?<sup>142</sup>

[...]

Moreover, the natural law and reason illuminated by Christian faith dictate that a couple proceed in choosing means not arbitrarily but according to objective criteria. These objective criteria for the right choice of methods are the conditions for keeping and fostering the essential values of marriage as a community of fruitful love. If these criteria are observed, then a right ordering of the human act according to its object, end and circumstances is maintained.<sup>143</sup>

The first quotation and the chapter heading are included to demonstrate the prominence given to the moral concept of ‘objective criteria’. The same prominence is not found in the council texts and, as far as we are aware, marks a new departure in moral theology under the guidance of Fuchs. The second quoted passage then confirms that the proposed objective criteria represent the single set of moral criteria available to all of humanity. This law is simultaneously divine and natural, but the emphasis in this particular paragraph is on the natural. According to the official report, both natural and divine law are now to be considered to be different ways of referring to the ‘objective criteria’ which are the content of the morality taught by the Christian church and by the whole of humanity.

When interpreting the innovative approach of the official report it is helpful to keep in mind some of the specific pressures on Fuchs and his fellow authors.<sup>144</sup> Working in Rome in the immediate aftermath of the council there were many people who held

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<sup>141</sup> Fuchs et al., “Final Report,” in Kaiser, *Encyclical*, 4.

<sup>142</sup> Fuchs et al., “Final Report,” in Kaiser, *Encyclical*, 11. The context suggests that ‘criterion’ in the title should be taken as a plural. The subsequent use of ‘criteria’ also indicates a plural which implies that the translator switched inconsistently between criterion and criteria when indicating the plural. We have not been able to check this translation against the original Latin text.

<sup>143</sup> Fuchs et al., “Final Report,” in Kaiser, *Encyclical*, 13.

<sup>144</sup> For a discussion of the authorship of this report see note 122 above.



profound reservations about the legacy of the council. As a piece of applied moral theology, the report of the Pontifical Commission had to satisfy the popular movement for the condemnation of the ‘legalistic’ (Häring) moral manuals. This condemnation had been reframed in OT 16. On the other hand, the report had to satisfy a curia dominated by officials who had had their draft texts rejected by the council fathers during the first period. These officials had to be satisfied because they advised the pope (for whom the decision on birth control had been reserved at the council). On top of this, the official report was the main text from the conciliar period which could be said to have been drafted by moral theologians. Thus, the commission authors were faced with the task of setting a direction for postconciliar moral theology.

The concept of ‘objective criteria’ can be interpreted as an attempt to satisfy all interested parties. Firstly, the concept of ‘criteria’ avoids the need for the authors to choose between ‘counsels’ (neo-Scholastic ascetical theology) and ‘laws’ (neo-Scholastic moral theology). Thus, the instruction by the council for the merger of the two disciplines was neither prejudged, nor openly contradicted, by the report. Secondly, as the second quotation from the report makes clear, the authors define a number of objective criteria which together form an objective framework for the right ordering of Christian (and human) action. This is well designed to satisfy the curia and the pope that the authors had not given up on authoritative moral teaching regarding Christian practice. However, the report also proposes a major revision of church teaching on birth control. This is done, firstly, by defining ‘objective criteria’ which are far more general than the previous moral laws on birth control practices. Secondly, the report insists that whilst the criteria should be considered to be ‘objective’, the application of these criteria by Catholic married couples is also ‘objective’: it is a matter for the conscience of Catholic married couples how these objective criteria are to be applied. This secures the main aim of the report (changing permissible Christian practice) whilst maintaining ‘objective’ and/or authoritative teaching. Unfortunately, in solving the problem in this way, the authors of the report introduce a major innovation into moral theology with far reaching consequences: not only have natural claims and Christian claims been merged into a single set of ‘objective’ claims, but the implementation of these claims in practice – the Christian couple’s moral performance – has been *excluded* from the scope of church teaching in a new kind of individual objectivity. This is a high price to pay for the appearance of agreement with all parties as it exempts large swathes of Christian existence from

public moral scrutiny.<sup>145</sup> In subsequent chapters we will see how Balthasar attempts to secure greater freedom for Christian living without abandoning mutual accountability within the wider church.

The final part of this section shows that Fuchs' 1968 lecture stands in continuity with his interpretation of the council in 1966 and his work on the official report. This demonstrates the consistency of Fuchs' argument in the three years after the council and challenges the assumption that this particular lecture defines the debate on the specificity of Christian morality.<sup>146</sup> As we have already seen, Fuchs' basic argument is already in place in his 1966 writings and the whole debate, which appears to have its origins within the manual tradition, was the subject of wide controversy immediately after the council.

In between Fuchs' 1966 writings and his 1968 lecture stands the final encyclical of Paul VI, *Humanae vitae*.<sup>147</sup> This encyclical contradicts the recommendations of the official report of the Pontifical Commission and reiterates the church's insistence that all permissible sexual acts must always remain open to procreation.<sup>148</sup> It is possible to discern Fuchs' reservations about *Humanae vitae* in his 1968 lecture when he alludes to 'certain questions relating to the body and sexuality' which are the product of 'non-Christian influences [and which] have become part of Christian moral teaching'.<sup>149</sup> Otherwise, he attempts to show that *Humanae vitae* is consistent with his proposal for postconciliar moral theology.

The use that Fuchs makes of *Humanae vitae* is unnerving to the extent that he treats Paul VI's encyclical as superior to the texts of the council. In particular, Fuchs draws attention to the approach taken by Paul VI to the question of birth control: '[i]f we read Paul VI's encyclical carefully it will become clear that the Pope in no way intended to provide a specifically Christian solution for a universal human problem. It was precisely this that enabled him to address himself also to non-Christians, in

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<sup>145</sup> This is a serious objection to the approach taken. For an account of the importance of the performance of the Christian life see Nicholas Lash, "Performing the Scriptures," in *Theology on the Way to Emmaus* (London: SCM, 1986): 37-46.

<sup>146</sup> For statements of this view see Pinckaers (1995: 100-103) and MacNamara (1985: 40). These were also cited in note 125 above.

<sup>147</sup> Paul VI, *Humanae vitae* [Encyclical Letter], 25 July 1968.

<sup>148</sup> From an Anglican perspective it is interesting to note that the encyclical letter *Casti Connubii* of Pope Pius XI, which prohibits the use of contraception, appears to have been provoked by the debate at the Lambeth Conference of 1930. See Graham, *Josef Fuchs*, 85-87. It has also been announced that the question of contraception will be included in a case study by ARCIC III. See ARCIC III, *Communiqué from the meeting in Hong Kong* [Communiqué], May 2012. Available online at: [www.anglicancommunion.org/media/105254/ARCIC\\_III\\_Hong\\_Kong\\_2012.pdf](http://www.anglicancommunion.org/media/105254/ARCIC_III_Hong_Kong_2012.pdf) (Last accessed: 29 December 2015).

<sup>149</sup> Fuchs, "Is There a Specifically Christian Morality?" 17.

order to put before them a “human” solution to a universal human problem.’ This comment is directed against the emerging faith-ethic which claimed that the divine law contained in scripture is different from the natural law or from human morality in general. Paul addresses his teaching in the encyclical to the church and to ‘men of good will’. Fuchs explicitly connects this concept to the approach of John XXIII who ‘had addressed himself in his encyclical *Pacem in terris* to all men and women of good will...’.<sup>150</sup> By claiming that Paul VI and John XXIII are teaching a universal natural ethic, Fuchs is interpreting their moral teachings in the manner of GS 22. More worryingly, Fuchs does not even refer to GS 22 – an important council text for the argument in his 1966 article – but assumes that Paul’s 1968 encyclical must offer a correct interpretation of the council. This is not a good precedent to set as it suggests that the task of interpreting the council texts can be set to one side as soon as the pope has spoken on a question. Häring’s practice is to be preferred at this point. To give an example from many years later, Häring criticises the 1983 Code of Canon Law for contradicting one of the teachings agreed by the council fathers.<sup>151</sup> Regrettably, Fuchs’ 1968 lecture suggests that he no longer considers the interpretation of the texts of the council to be a pressing task facing the discipline of moral theology.

The mechanics of Fuchs’ proposal in his 1968 lecture share substantial similarities with the 1966 article:

It is already clear that we must distinguish two elements of Christian morality. They are basically different from each other, yet belong together, and constitute Christian morality in their togetherness and interpenetration.<sup>152</sup>

This passage continues to refer to ‘two elements’ of Christian morality, which we have shown previously that Fuchs had recently connected, experimentally, to the two natures of Christ in the formula of Chalcedon. However, the way in which these elements are used is slightly different in 1968. In our analysis of the 1966 article these elements are equated with natural and divine law. However, by 1968 these elements are not being described as laws but as ‘*categorical* conduct’ and ‘*transcendental* attitudes and norms’. One way to think about this is that Fuchs is now defining the two elements in terms of a general account of the human person. This is a very interesting development as the orthodox use of Chalcedonian language

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<sup>150</sup> Fuchs, “Is There a Specifically Christian Morality?” 3.

<sup>151</sup> Häring, “Reciprocity of Consciences: A Key concept in Moral Theology,” in *History and Conscience: Studies in honour of Sean O’Riordan*, edited by Raphael Gallagher and Brendan McConvery (Dublin: Gill and Macmillan, 1989): 71.

<sup>152</sup> Fuchs, “Is There a Specifically Christian Morality?” 5.

is with reference to belief in Jesus Christ. This formula is extended by LG 8 to apply to the church as the body of Christ. By aligning the two elements of moral theology with an abstract conception of a human person, and distinguishing categorical conduct and transcendental attitudes and norms, Fuchs' offers a variation on his attempt to give a Christological account of postconciliar moral theology. A fuller consideration on this development in Fuchs' argument – particularly from the perspective of Christology – would be an interesting topic for future research. For the moment it is simply worth noting the claim by Mark Graham that Fuchs appropriates 'Karl Rahner's theological anthropology' in the years after the council.<sup>153</sup> Thus it may be that Fuchs' transformation of the moral elements from two kinds of law into two parts of the general human person is an aspect of this wider development in his thinking. What remains the case, however, is that Fuchs is committed to a universal morality of objective criteria which stands in a complex and close relationship with the loving call of God to humankind.

In three texts from 1966 to 1968, we have now shown that Fuchs' makes a consistent set of proposals for postconciliar moral theology, namely that there is no fundamental distinction between biblical and natural moral law. The call of God is offered to all human beings and Christian action is governed by the objective moral criteria that are part of the ordering of things by the providence of God. We have also drawn attention to the tentative and underdeveloped attempts to explicitly link this account to the Mystery of Christ and the formula of Chalcedon. When reviewing this material it is worth remembering the circumstances of the rejection of the manuals and the publication of *Humanae vitae* meant that Fuchs was working in extremely difficult circumstances. Given these events, it is unsurprising that moral theology remained in a state of disarray at the end of 1968. There were polarised debates on the correct interpretation of the council, the official report of the Pontifical Commission had adopted an innovative new approach which generates some questions about the place of the Mystery of Christ, and the encyclical *Humanae vitae* had rejected the main contribution of moral theologians during the conciliar period without indicating how they should proceed instead. The next chapter traces the way in which Balthasar and the International Theological Commission took up the challenges facing the discipline.

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<sup>153</sup> Graham, *Josef Fuchs*, 117.

## Chapter 2: The occasion and purpose of the *Nine Propositions*

Balthasar drafted the *Nine Propositions on Christian Ethics* for discussion at the sixth annual assembly of the Catholic International Theological Commission (ITC) held on 15-21 December 1974.<sup>1</sup> The formation of the ITC had been announced by Paul VI on 28 April 1969 and Balthasar was named among the first thirty commission members on 1 May of the same year.<sup>2</sup> In the first section of this chapter we rehearse the main events in the creation of this commission and analyse the first few years of operation. This demonstrates that the ITC adopted distinct approaches to the questions of pluralism in Christian theology and of the future of postconciliar moral theology. The second section of the chapter explores the way in which Balthasar began to respond to these developments in his 1972 work *Truth is Symphonic: Aspects of Christian Pluralism* (1972). It also shows how an early work by Hegel, 'The Spirit of Christianity and its Fate' (1798-1799) can be used to cast light on the shape of Balthasar's response.<sup>3</sup> The third section of this chapter sets out and analyses the work that the ITC carried out on the future of postconciliar moral theology from its formation in 1969 to its plenary assembly on moral theology in December 1974. As with the work of Fuchs, the ITC focused its consideration of postconciliar moral theology on the question of moral criteria. Consideration of this

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<sup>1</sup> The date of the 1974 meeting is given in a note by Philippe Delhayé introducing a working paper by Gustave Martelet: "Praxis humaine et magistère apostolique" *Nouvelle Revue Théologique*, no. 97 (1975): 525n. Available online at: [www.nrt.be/docs/articles/1975/97-6/1166-Praxis+humaine+et+magist%C3%A8re+apostolique.pdf](http://www.nrt.be/docs/articles/1975/97-6/1166-Praxis+humaine+et+magist%C3%A8re+apostolique.pdf) (Last accessed: 29 December 2015).

<sup>2</sup> Paul VI announced the formation of the ITC at a consistory address on 28 April 1969. Paul VI, "Consistory address" *Acta Apostolicae Sedis* (AAS) 61 (1969): 431-432, cited in Michael Sharkey, ed., *International Theological Commission: Texts and Documents 1986-2007, Vol. 1* (San Francisco: Ignatius, 2009), 325. According to Philippe Delhayé, the first commission members, among whom Balthasar, Rahner and Ratzinger were included, were announced in *L'Osservatore Romano*. Delhayé, "Report on the first five years of the International Theological Commission" *L'Osservatore Romano* (English: 12 August 1976), 3.

The date of Balthasar's appointment to the ITC is frequently misstated in the secondary literature. Following the lead of John Riches in the 1989 edition, Ben Quash incorrectly dates Balthasar's appointment to 1967: Quash, "Hans Urs von Balthasar" in David F. Ford with Rachel Muers, eds., *The Modern Theologians: An Introduction to Christian Theology since 1918* 3rd Ed. (Oxford: Blackwell, 2005): 108. Hans Küng claims incorrectly that the pope founded the ITC prior to the publication of the statement 'Freedom for Theology' on 17 December 1968: Küng, *Disputed Truth*, 46. John L. Allen also dates the first appointments incorrectly to 1967 in *Pope Benedict XVI* (London: Continuum, 2005): 261. (Although Allen gives the correct year on p.272).

A full list of ITC members is available in Sharkey and Weinandy, eds., *International Theological Commission: Texts and Documents 1986-2007, Vol. II* (San Francisco: Ignatius, 2009), 401, and "The Thirty Theologians" *Herder Correspondence: A Monthly Review of the Christian World* 6.7 (July 1969): 211-214.

<sup>3</sup> Hegel, 'The Spirit of Christianity and its Fate' in T. M. Knox (trans.) *Early Theological Writings* (Philadelphia: University of Pennsylvania Press, 1971): 182-308. GO Herman Nohl (ed.) *Hegels theologische Jugendschriften* (Tübingen: J. C. B. Mohr (Paul Siebeck) Verlag, 1907): 243-342.

work by the ITC sets the scene for the third and fourth chapters of this thesis which offer a detailed interpretation of Balthasar's *Nine Propositions*.

(i) *The International Theological Commission (1969-1972)*

During the final period of the council Paul VI announced two major institutional changes: a new Congregation for the Doctrine of the Faith (CDF) and a new Synod of Bishops.<sup>4</sup> The former was a new incarnation of the Sacred Congregation of the Holy Office (1908-1965) and the pope retained Cardinal Ottaviani as Prefect.<sup>5</sup> This new organisation was not expected to be very different from its predecessor, however Hebblethwaite reports that it was expected 'to hold study sessions on disputed questions' in doctrine.<sup>6</sup> These sessions would presumably help the CDF to draft higher quality declarations and would improve its relationship with Catholic theologians. The formation of a Synod of Bishops, on the other hand, was an entirely new development. Soon after this institution had been announced Ratzinger published an enthusiastic welcome, forecasting that it would serve as 'a permanent council in miniature ...its institution under these circumstances guarantees that the Council will continue after its official end; it will from now on be part of the everyday life of the Church.'<sup>7</sup>

Ratzinger's expectations regarding the contribution that the Synod of Bishops would make in the years following the council have been disappointed. The constitution of the Synod meant that the agenda for its first assembly in October 1967 was determined in advance by the curia. In scenes reminiscent of the first period of the council, Hebblethwaite reports that the first synod rejected a doctrinal text 'On certain dangerous modern opinions and also on atheism'. This text had been sponsored by Ottaviani in his capacity as Prefect of the new CDF.<sup>8</sup> Later the synod

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<sup>4</sup> Paul VI, *Integrae Servandae* [Motu Proprio], 7 December 1965. Available online at: [www.vatican.va/holy\\_father/paul\\_vi/motu\\_proprio/documents/hf\\_p-vi\\_motu-proprio\\_19651207\\_integrae-servandae\\_en.html](http://www.vatican.va/holy_father/paul_vi/motu_proprio/documents/hf_p-vi_motu-proprio_19651207_integrae-servandae_en.html) (Last accessed: 29 December 2015); Paul VI, *Apostolica Sollicitudo* (Motu Proprio), 15 September 1965. Printed in translation in Walter M. Abbot, ed., *The Documents of Vatican II* (Chicago: Follett, 1966): 720-724. Available online at: [www.vatican.va/holy\\_father/paul\\_vi/motu\\_proprio/documents/hf\\_p-vi\\_motu-proprio\\_19650915\\_apostolica-sollicitudo\\_en.html](http://www.vatican.va/holy_father/paul_vi/motu_proprio/documents/hf_p-vi_motu-proprio_19650915_apostolica-sollicitudo_en.html) (Last accessed: 29 December 2015).

<sup>5</sup> Paul VI, *Integrae Servandae* [Motu Proprio], regulation 1.

<sup>6</sup> Hebblethwaite, *Paul VI: The first modern pope* (New York: Paulist Press, 1993), 456. Hebblethwaite also suggests that this idea was never put into practice, although a meeting held in 1968 to discuss the theology of Edward Schillebeeckx, noted later in the chapter, might have been considered to fall into this new category.

<sup>7</sup> Ratzinger, *Theological Highlights of Vatican II*, 206. The Synod can only be a 'miniature' council because it only brings together a representative group of bishops.

<sup>8</sup> Hebblethwaite, "The Modest Synod" *The Month* 38.6 (Dec 1967): 310.

moved to elect its own doctrinal commission, of which Cardinal Franjo Šeper was made president. Describing the outcome of this election the editors of *Herder Correspondence* report that '[t]he well-balanced, constructively progressive line he [Šeper] took in the doctrinal discussion impressed a solid majority of the bishops as just the line they would wish to have taken by the Church in the theological domain at the present time.'<sup>9</sup>

The decision by the synod to elect its own doctrinal commission is similar to the insistence by the fathers in the first period of the council that they would hold open elections for the various conciliar commissions.<sup>10</sup> However, it is harder to find a parallel in Vatican II for the next development, namely the proposal by the doctrine commission that the synod call on Paul VI to establish an ITC.<sup>11</sup> As the editors of *Herder Correspondence* report:

...the Synod of Bishops approved by 124 votes to 14 (a further 39 bishops voted *placet iuxta modum* and two abstained) their doctrinal commission's proposal to set up an international theological commission, it was regarded as one of the very few tangible decisions to emerge from an otherwise unfruitful meeting.<sup>12</sup>

The reference to an 'unfruitful meeting' suggests that the synod never showed much potential to act as a 'council in miniature'. Nevertheless, the first assembly of the synod had adopted similar voting practices to those used during the council: the synod fathers (mainly bishops) were asked to vote 'content', 'not content', or 'content with modification' (*placet iuxta modum*). This particular vote shows a heavy majority in favour of a new ITC and may have been a response to the inadequacies of the doctrinal text proposed by the curia. The use of the term 'international' implied that the new commission would be a good forum for the regular consultation of theologians based outside the universities of Rome. Many of these theologians had played an active role as *periti* (theological advisors) at the council and there was a greater appetite among the bishops for theologians to play a role in the decisions of

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<sup>9</sup> "The Roman Synod" *Herder Correspondence* 4.11 (Nov 1967): 338.

<sup>10</sup> Giuseppe Alberigo refers to '...the crucial work of the conciliar commissions, and the "invisible" council that was busy during the months between the periods of the conciliar assembly's work.' Alberigo and Komonchak, eds., *History*, Vol. V, XVI. This point is illustrated in the account of GS in the second section of the previous chapter.

<sup>11</sup> This was one of two proposals contained at the end of a summary document prepared for the Synod by the new doctrinal commission. This document – entitled *Ratione habita* – was published in the 30-31 October 1967 issue of *L'Osservatore Romano*. It is also reprinted in Austin Flannery ed., *Vatican Council II: More Post Conciliar Documents* (Dublin: Dominican Publications/Leominster: Fowler Wright, 1982): 662-671.

<sup>12</sup> "The Thirty Theologians" *Herder Correspondence* 6.7 (Jul 1969): 210.

the pope and curial officials. However, the proposal by the synod does not appear to have been particularly well received by the pope or the curia as no action was taken following the vote of the synod for nearly twelve months.<sup>13</sup>

A second development which played a role in the origin of the ITC is the publication of a statement entitled 'Freedom for Theology' on 17 December 1968.<sup>14</sup> This statement was drafted by the Swiss dogmatic theologian Hans Küng and received considerable attention in the European and North American press.<sup>15</sup> No doubt the poor reception given to *Humanae vitae* that summer contributed to Küng's decision to draft the statement. However, Küng identifies his motivation as the reversion on the part of the pope and his curial advisors to neo-Scholastic theology. The statement also seems to have been provoked by a series of disciplinary actions undertaken by the CDF in the period after the first meeting of the Synod of Bishops. On 27 December 1967 Küng received notification that proceedings had been started against his book *The Church* (1967).<sup>16</sup> Nine months later rumours circulated in the European press that proceedings were being launched against the Dutch theologian Edward Schillebeeckx. Küng reports that these rumours proved premature – no such proceedings had in fact been started – but confirms that Karl Rahner attended a meeting in Rome on 8 October 1968 at which he was asked to give a theological defence of Schillebeeckx.<sup>17</sup> Thus, the three theologians responsible for the creation of the journal *Concilium* had all been associated with CDF investigations shortly before Küng drafted 'Freedom for Theology'.<sup>18</sup>

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<sup>13</sup> 'On 14 October, 1968, the secretary general of the Roman synod, Ladislaus Rubin, wrote a circular letter to the presidents of episcopal conferences ([*Enchiridion Vaticanum*], 3, 663-667) about the execution of the synod's proposals ...the pope had decreed the establishment of a theological commission by the Sacred Congregation of the Doctrine of the Faith, which had already begun asking episcopal conferences for the names of suitable candidates for submission to the pope.' Flannery ed., *More Post Conciliar Documents*, 671n.

<sup>14</sup> "Freedom for Theology" *Herder Correspondence* 6.2 (Feb 1969): 46-47. A second translation is available in Leonard Swidler, ed. and trans., *Küng in Conflict* (New York: Doubleday, 1981): 27-30.

<sup>15</sup> Küng, *Disputed Truth*, 46. The statement made front page news in the UK and was also reported in the New York Times: "Catholic Theologians Call for Charter of Their Rights" *The Times* and "40 Theologians Appeal to the Pope: Ask Right of Public Defence in Doctrinal Cases" *The New York Times*, both 18 December 1968. (The statement had appeared in the German press on 17 December.) Küng's claim on p.47 that the text also appeared in the English language edition of *Concilium* is incorrect (at least with respect to the British edition.) John L. Allen refers to it as the 'Nijmegen statement' in *Pope Benedict XVI*, 67 n12. Allen notes that the *National Catholic Reporter* carried a story on the statement in its 1 January 1969 issue titled "Scholars plead for theological freedom".

<sup>16</sup> Küng, *Disputed Truth*, 64.

<sup>17</sup> Küng, *Disputed Truth*, 47. This may, in fact, have been one of the "study sessions" to which Hebblethwaite referred above. A summary of the Schillebeeckx story which supports Küng's account is given in *Herder Correspondence* 5.12 (Dec 1968): 361-366.

<sup>18</sup> The international theological journal *Concilium* is a product of Vatican II. Initially conceived by the Dutch publisher Paul Brand, theologians Rahner, Küng and Schillebeeckx recruited fellow scholars during the second period of the Council. The journal began publication between the Council's third



The first discussion of the statement took place at a *Concilium* Foundation meeting on 12 October 1968 and Küng reports that his subsequent draft was approved by colleagues with ‘relatively few corrections’.<sup>19</sup> The statement spoke for a significant body of theologians. The initial thirty-eight signatories included the moral theologians Auer (Tübingen) and Böckle (Bonn) as well as Ratzinger (Tübingen).<sup>20</sup> Küng reports that it was ultimately endorsed by 1360 theologians ‘from 53 countries’.<sup>21</sup> The statement makes two points which are particularly relevant to this analysis. Most fundamentally, the statement complains that there is a poor working relationship between theologians and the leadership of the church:

We firmly uphold and affirm a teaching office of the Pope and the bishops, an office which is under the word of God and which is there in the service of the Church and its proclamation. At the same time, however, we know that this pastoral office cannot and must not supersede, hamper and impede the teaching task of the theologians as scholars.<sup>22</sup>

The phrase ‘must not supersede, hamper and impede’ can be read as a challenge to the authority of the pope and to the unity of the Church. Are the supporters of this statement proposing to break away from the church and ignore the leaders who have been appointed to represent them? There is evidence that this may have been the intention of some of the signatories, and such a reading is consistent with other accounts of Küng’s theology during this period. In particular, Ratzinger reports that: ‘Küng propounded a theory that there were two forms of leadership in the church: the bishops, who are mainly pastors, and the theologians, who are prophets.’<sup>23</sup>

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and fourth periods (January 1965). See Küng, *My Struggle for Freedom: Memoirs*, John Bowden trans., (London: Continuum, 2003): 297-298 and 386-387.

<sup>19</sup> Küng, *Disputed Truth*, 46. Küng acknowledges the assistance of Johannes Neumann who ‘ensures that there are precise legal formulations’. This probably refers to the language used in the statement’s sixth proposal.

<sup>20</sup> “Freedom for Theology” *Herder Correspondence*, 46, lists the first thirty-eight signatories.

<sup>21</sup> Küng reports that the final list of 1360 signatories ‘from 53 countries’ was ‘sent to the Foundation Board of the Papal Secretariat’. Küng, *Disputed Truth*, 48. This actual list of signatories has apparently been lost. However, public support for the statement was sufficiently widespread that Jean Daniélou felt the need to explain in print why he had not signed it. See “The Thirty Theologians” *Herder Correspondence* 6.7 (July 1969): 211. This latter article also confirms that only three theologians who signed the statement were included in the initial thirty members of the ITC: Congar, Rahner and Ratzinger. This establishes that Balthasar did not sign the statement.

<sup>22</sup> “Freedom for Theology” *Herder Correspondence*, 46. Küng provides a slightly longer quotation (which includes this passage) in *Disputed Truth*, 47. (John Bowden, the English translator of Küng’s autobiography, has taken the translation of this quotation from Swidler, *Küng in Conflict*, 27.) The word ‘magisterium’ has been deleted from its position after ‘teaching office’. This word is not present in the Swidler translation and appears to have been added by the editor of *Herder Correspondence* as an aid to comprehension.

<sup>23</sup> Ratzinger as reported in Desmond O’Grady, “The Ratzinger Round” *The Month* (December 1973): 409-410.

However, Küng's wider theological arguments can be placed to one side because the 'Freedom for Theology' statement was drafted in consultation with a wider group of theologians. Whilst the statement contains hints of a problematic separation between theologians and bishops, it is not necessary to read it in this manner. A more charitable reading pays attention to the juxtaposition of two claims: (i) to respect the role of bishops and pope; (ii) to claim freedom for theologians. There is no need for the charitable reader to place these claims into competition and decide which one takes priority. One can instead take up a reconciling logic and argue that both can coexist. It is possible that theologians can have the freedom to experiment in their writings and that bishops and pope can hold responsibility for the teaching which is presented to the faithful as the consensus of the church. One can imagine a harmonious economy in which theologians advance their new thinking on a provisional basis for scrutiny by their fellow Christians.

On this charitable reading the supporters of the statement are not asserting the complete independence of theologians from the church but are responding, constructively, to difficulties in the relationship between the leadership of the church and theologians. This charitable reading makes better sense of the text as a whole which goes on to offer a series of proposals to improve this relationship. Some of these suggestions are more practical than others. However, there can be little complaint regarding the suggestion that theologians be permitted to express themselves in disciplinary hearings in the language with which they are most familiar. This is clearly intended to support honest and accurate dialogue and highlights a failing in the practices of the CDF.<sup>24</sup>

The second point made by 'Freedom for Theology' and relevant to this analysis is a call for the establishment of an ITC. Those involved in the drafting of this statement propose an ITC as a vehicle for improving the relationship between theologians, bishops, pope and CDF. The statement calls on the pope to establish this theological commission 'at once' and requests that it 'be representative in exact proportion of the different theological schools and forms of mental outlook'.<sup>25</sup> In this way, the statement confirms that many theologians looked to an ITC with the expectation that it would represent their views to the pope and the curia. There is no direct evidence that this statement resulted in action being taken by the pope but it may have speeded

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<sup>24</sup> "Freedom for Theology" *Herder Correspondence*, 47.

<sup>25</sup> "Freedom for Theology" *Herder Correspondence*, 47. In the course of his narrative (*Disputed Truth*, 46) Küng claims incorrectly that the pope had founded the International Theological Commission (ITC) prior to the drafting of 'Freedom for Theology'. This cannot be correct as 'Freedom for Theology' calls for the ITC to be 'set up at once' (proposal 4).

up the formal announcement of the formation of the ITC which took place four months after 'Freedom for Theology' was published.<sup>26</sup>

Once the ITC had been announced, there seem to have been at least three different accounts of its purpose. Unsurprisingly, very little appears to have been published about the attitude of CDF officials. On 6 January 1968, nearly a year before 'Freedom for Theology,' Cardinal Ottaviani resigned as Prefect of the CDF and Cardinal Šeper was nominated to replace him.<sup>27</sup> Šeper, it will be recalled, had been appointed president of the doctrinal commission of the Synod of Bishops in October 1967. This makes him an important transitional figure in this period of postconciliar history, although he rarely features in English language studies. The delay between the call of the Synod of Bishops for the formation of the ITC and the pope's announcement is apparently due to Ottaviani's opposition to the idea.<sup>28</sup> However, even after the formation of the ITC had been announced, the Provisory Statute under which it would operate was kept secret.<sup>29</sup> Moreover, the content of this statute was highly restrictive. This matter received considerable attention in the early years of the ITC as the Provisory Statute placed the ITC under the direct control of the CDF: statute two requires that the Cardinal Prefect of the CDF take the role of ITC President, statute nine grants the CDF an absolute veto over the theological topics which the commission is permitted to investigate, and statute eleven requires commission members to 'maintain the pontifical secret concerning the themes being treated on the part of the Commission, according to the norms of the regulations of the Roman Curia.'<sup>30</sup> The only concessions to the independence of the ITC are a delicate form of words that prevents the commission from being counted as a part of the CDF (statute one) and an assurance that the work produced by the commission would be 'submitted to the Supreme Pontiff' for examination, as well as to the CDF

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<sup>26</sup> The editors of *Herder Correspondence* observe similarly: '[t]o what extent the statement [Freedom for Theology] speeded up the formation of the commission it is hard to say...' in "The Thirty Theologians" *Herder Correspondence* 6.7 (July 1969): 211. For the date of formation see note 2 above.

<sup>27</sup> *Acta Apostolica Sedes* (1968): 76-77 and 59.

<sup>28</sup> Hebblethwaite reports that it is only because Šeper had taken over the CDF by 28 April 1969 that the ITC was able to get under way: 'The CDF under Ottaviani would never have accepted the ITC because its very existence cast doubt on its own theological competence.' Hebblethwaite, *Paul VI*, 532.

<sup>29</sup> It is reported on p.214 of "The Thirty Theologians" *Herder Correspondence* that the leaked statutes were published in the *National Catholic Reporter* (14 May 1969) and *The Tablet* (17 May). This was followed by publication of the (slightly different) official version on 12 July: AAS 62 (1969): 540-541. ET Sharkey, *Texts*, Vol. I, xi-xii.

<sup>30</sup> Sharky, *Texts*, xi-xii.

(statute ten).<sup>31</sup> On this basis, there is little evidence that the CDF looked favourably upon this new gathering of Catholic theologians.

The other two accounts of the ITC can be associated with specific commission members. On the one hand, the majority of the commission (including Balthasar and Ratzinger) appear to have taken the view that the ITC needed to establish its independence from the CDF as a senior commission of theological advisors. The primary evidence that Balthasar and Ratzinger should be considered among such a group is the fact that they were both involved in publishing and disseminating texts produced by the ITC during the first term.<sup>32</sup> Indeed, Ratzinger has explained that this publication strategy was undertaken in the face of pressure from some members of the curia: '[i]n the Curia there are some opposed to publication of our [the ITC's] findings which, they maintain, should serve for consultation. It seems to me, however, that a certain publicity is necessary to show the collaboration which is taking place [between theologians and the church leadership]...'.<sup>33</sup>

Evidence that Balthasar and Ratzinger had the support of the majority of the ITC in the first term can be found in the final communiqué published after the first assembly of the ITC on 6-8 October 1969. One of the aims of the majority of the commission at this assembly appears to have been to weaken the terms of the Provisory Statute. The strategy that was adopted took advantage of the fact that the Cardinal Prefect of the CDF was also the President of the ITC. Thus, once the Cardinal and his officials had been persuaded that this communiqué could be issued, the ITC was effectively speaking with the authority of the Prefect of the CDF. A close reading of the communiqué reveals three points at which it revises the content of the Provisory Statute. First, where statute ten requires that the work of the ITC is forwarded to the pope and the CDF, the final communiqué from the first meeting declares that '[t]he results of its [the ITC's] work are transmitted directly to the Holy Father before

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<sup>31</sup> English readers will be misled by the translation of statute one in Sharkey's volume: '[a] Theological Commission has been established as part of the Congregation for the Doctrine of the Faith...'. Vatican II did not alter the practice which gives the Latin version of church documents priority over translations into other languages (cf. the response of Paul VI to a request by Haubtmann regarding vernacular translations of GS reported in Burigana and Turbanti, "The Intersession" in *History*, Vol. III, 531). The Latin text of this part of the provisory statute reads: '*Commissio Theologica penes Sacram Congregationem pro Doctrina Fidei instituitur, ...*' AAS 61 (1969): 540. As Philippe Delhayé has explained elsewhere, this means that the ITC is "*penes Congregationem*", alongside the Congregation, as the statutes say'. Delhayé, "Report on the first five years," 3. The Latin term '*penes*' is repeated in the Definitive Statute of 1982 where Sharkey's volume renders it as 'attached': Sharkey, *Texts*, Vol. I, xiii.

<sup>32</sup> Balthasar, ed., *Priesterdienst* (Einsiedeln: Johannes Verlag, 1972); Ratzinger, ed., *Die Einheit des Glaubens und der theologische Pluralismus* (Einsiedeln: Johannes, 1973); Ratzinger, ed., *Prinzipien Christlicher Moral* (Einsiedeln: Johannes, 1975).

<sup>33</sup> Ratzinger quoted in O'Grady, "The Ratzinger Round" *The Month* (December 1973): 411.

being communicated to the congregation.’<sup>34</sup> The inclusion of the word ‘directly’ takes the statement beyond the literal meaning of the statute and emphasises an immediate relationship between the ITC and the pope. This set up the commission to operate in parallel to, rather than under, the CDF. Second, the communiqué insists that the ITC ‘...is governed by its own particular norms.’<sup>35</sup> This contradicts the requirement in statute eleven that commission members are bound by the ‘norms of the regulations of the Roman Curia.’ Third, the communiqué includes a four item work programme which contradicts the requirement that members ‘maintain the pontifical secret concerning the themes being treated on the part of the commission.’ This latter development meant that if the CDF was subsequently to withdraw permission for an item of research, or redirect the work programme, it would have to do so in public view.

In the light of the communiqué, the publication of ITC texts by Balthasar and Ratzinger can be interpreted as an attempt to further establish the independence of the commission. What is less clear, however, is the relationship that they, or their fellow commission members, imagined with the Synod of Bishops. As will be noted below, there is close cooperation between the ITC and the Synod in 1971. However, it is unclear whether this was a strategy to which the majority of commission members were committed, or whether it was only the ambition of a few. Aside from the documented cooperation between these institutions in 1971, Hebblethwaite reports a complaint by Cardinal Marty that: ‘the ITC never managed to service the Synod [of Bishops] as had been envisaged at its foundation. It was, ultimately, at the service of the CDF.’<sup>36</sup> If there was a concerted plan in the early years for the ITC to work closely with the Synod it will have been frustrated by the development of the latter body after 1971.

After the CDF and the majority of the commission, Karl Rahner provides the focus for a third school of thought regarding the work of the commission. The final communiqué from the first assembly of the ITC in 1969 notes that Rahner had circulated a report to his fellow commission members in advance ‘on the principal questions that, in his opinion, should be dealt with by the commission...’.<sup>37</sup> Herbert Vorgrimler adds that Rahner also delivered ‘the programmatic speech on significant

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<sup>34</sup> “Final Communiqué” in Sharkey, *Texts*, Vol. I, 1.

<sup>35</sup> “Final Communiqué” in Sharkey, *Texts*, Vol. I, 1.

<sup>36</sup> François Marty, *Chronique vécue de l’Eglise de France* (Paris: Le Centurion, 1981): 180. Cited and translated by Hebblethwaite, *Paul VI*, 634 n4. Marty was a “Relator” at the Extraordinary Synod of 1969.

<sup>37</sup> “Final Communiqué” in Sharkey, *Texts*, Vol. I, 1-2.

contemporary theological questions' on the first day of the assembly, of which a resumé was published in *The Tablet*.<sup>38</sup> The first point in the resumé develops a suggestion in 'Freedom for Theology' by arguing that:

The theological commission must understand its function as that of an instrument of the Congregation for the Doctrine of the Faith. But exactly because of that, it will be the primary task of the commission to go into the nature and function of this Congregation. The answer on this basic point will determine the priorities of further work by the commission.<sup>39</sup>

When reading this statement it is helpful to note that Paul VI, when he set up the new CDF, instructed it to gather 'a group of Consultors whom the Supreme Pontiff appoints from men around the world who are distinguished for their doctrine, prudence and expertise. If the matter to be dealt with so requires, the Consultors can be added to the experts, chosen particularly from University professors.'<sup>40</sup> This may have been the role into which Rahner was cast in his difficult meeting with the CDF regarding the theology of Schillebeeckx in October 1968 (although Küng explains that Rahner had not been informed about this in advance). This instruction by Paul VI to the CDF is picked up in 'Freedom for Theology' where it insists that the consultors should be 'outstanding professional theologians' and that '[t]he Congregation for the Doctrine of the Faith must co-operate with this committee [i.e. the ITC] as closely as possible.'<sup>41</sup> Thus, Rahner appears to have imagined the ITC in the terms set by 'Freedom for Theology': the ITC was composed of 'outstanding professional theologians' and Rahner appears to have hoped that they could act as a body of consultors within the CDF and set the terms of the congregation's supervisory work. Such an arrangement would repair the relationship between the CDF and theologians.

Rahner goes on in his speech to justify the incorporation of the ITC into the CDF. Specifically, Rahner adds that 'the unity between faith and theology which to a certain extent existed before is not *de facto* found today.' Moreover, 'different theologians have different presuppositions. Therefore, we see developing different theological schools which cannot be united into one system. The Congregation for the Doctrine of the Faith can no longer presuppose a unity of theology. The manifold

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<sup>38</sup> Herbert Vorgrimler, *Understanding Karl Rahner: An Introduction to his Life and Thought*, John Bowden trans. (London: SCM, 1986): 108. Rahner's speech was delivered on the same day that commission members heard speeches by Paul VI and the Prefect of the CDF (Monday 6 October). Delhayé, "Report on the first five years," 3.

<sup>39</sup> Rahner (paraphrased), 'Defending the Faith, Modern-Style' *The Tablet* (25 October, 1969): 1057.

<sup>40</sup> Paul VI, *Integrae Servandae* (7 December 1965), regulation 10.

<sup>41</sup> "Freedom for Theology" *Herder Correspondence*, 47.

theological expressions can no longer be supervised and judged by a single, small Curial Congregation.’<sup>42</sup>

There can be no complaint regarding Rahner’s proposal for the role that the ITC might play in repairing the relationship between the CDF and professional theologians. The large number of theologians who signed up to ‘Freedom for Theology’ demonstrates that there was a problem in this relationship which needed attention. However, it is also possible to identify some weaknesses. Most practically, Rahner’s suggestion of an ITC integrated into the CDF would have worked best if the former comprised a mixture of CDF officials and consultant theologians. That way, there would have been greater theological expertise in the discharge of the work of the congregation and the existing staff would have had the opportunity to learn from the international theologians with whom they were now working. However, the ITC is constituted in such a way that it was comprised solely of international theologians, and its transformation into a high level theological consultancy would have displaced the CDF officials currently discharging this task. This non-collegial approach in which Rahner imagined that the ITC would direct the work of the CDF may have provoked opposition among the latter’s officials.

There remain a number of ambiguities regarding Rahner’s participation in the early years of the ITC, not least because it has not been possible to identify the date of his resignation. However, it is evident that he made a strong case during the first assembly of 1969 that the ITC undertake a study of theological pluralism. In the words of the moral theologian and commission member Philippe Delhay (Louvain): ‘[a] first idea was launched by Father Rahner: pluralism. Mons. [Gérard] Philips seized the opportunity and emphasised the other aspect of the problem: the unity of faith.’<sup>43</sup> Here, it is worth noting that Philips had played a prominent role during Vatican II and ‘was in practice the secretary of the International Theological Commission in the course of the first three years, although he did not have the official title.’<sup>44</sup> Thus, Rahner’s proposal does not appear to have been particularly

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<sup>42</sup> Rahner, ‘Defending the Faith,’ 1058. Italics added.

<sup>43</sup> Delhay, “Report on the first five years,” 3. On page 36 of the previous chapter Delhay is said to work at the University of Lille. Delhay moved from Lille to Louvain in 1966.

<sup>44</sup> Delhay, “Report on the first five years,” 3. This information can be used to expand the list of secretaries in Sharkey and Weinandy, *Texts*, Vol. II, 407. Philips acted informally as secretary between 1969 and 1972 when Delhay took over. The list of secretaries has not been updated since the 1989 edition (Sharkey, ed., *Texts* 1st ed. (1989), 330) and it remains unclear when Delhay stood down and which member took over from him.

Philips had been responsible for the so-called ‘Philips Schema’, which was approved in the second period of the council as the basis for LG (Alberto Melloni, “The Beginning of the Second Period,” in *History*, Vol. III, 45.) During the fourth period of the council Philips had also been responsible for organising the work of the subcommissions which finalised the text of GS (Gilles Routhier, “Finishing

well received. Moreover, theological pluralism is not included in the four subcommissions established following the first assembly. As listed in the final communiqué these subcommissions are: ‘the unity of the Faith’ (presided over by Ratzinger), ‘the priesthood’ (to which Balthasar was appointed), ‘the theology of hope’ (subsequently delayed) and ‘the criteria for Christian moral knowledge’ (of which Delhaye was president).<sup>45</sup> Having said this, there is no basis to conclude that Rahner’s proposal was dismissed out of hand. In the first place, theological pluralism is explicitly acknowledged in the 1969 communiqué as an important question facing the church. The communiqué also acknowledges that there is a ‘legitimate pluralism’ in theology. Further, the decision to establish a subcommission on ‘the unity of the Faith’ (and not on theological pluralism) may have been due to Cardinal Šeper and his officials. It is argued above that the majority of the commission adopted a strategy to establish their independence from the CDF. It may have been considered necessary to exclude the controversial topic of ‘theological pluralism’ from the work programme in order to secure permission to have the work programme included in the communiqué. After all, the Provisory Statute instructs that commission members must ‘maintain the pontifical secret concerning the themes being treated on the part of the Commission, according to the norms of the regulations of the Roman Curia.’ Moreover, there is a hint in the communiqué that the commission was hoping to address the topic in the future as it specifies that ‘[i]t is up to each group [subcommission] to decide precisely on its particular theme.’<sup>46</sup> When Ratzinger’s subcommission on ‘the unity of the Faith’ reported back to the commission in 1972 it had expanded its remit to include theological pluralism. The role that Rahner played in developments after 1969 is unclear, although Peter Henrici claims that Balthasar and Rahner debated the concept of theological pluralism at more than one ITC assembly.<sup>47</sup> This discussion must have ended following Rahner’s resignation from the ITC for which the most plausible date is 1971. The reason for his resignation remains unclear.<sup>48</sup>

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the Work Begun,” in *History*, Vol. V, 131.) Hebblethwaite speculates that Philips advised Cardinal Suenens on his plan for the council in the early 1960s. Hebblethwaite, *Paul VI*, 300 n3.

<sup>45</sup> “Final Communiqué” in Sharkey, *Texts*, Vol. I, 2. For a discussion of the translation of the moral knowledge work programme see note 67 below.

<sup>46</sup> Sharkey, *Texts*, Vol. I, 2.

<sup>47</sup> Peter Henrici, “A Sketch of Von Balthasar’s Life” *Communio* XVI.3 (Fall 1989): 345.

<sup>48</sup> Rahner gave at least two accounts of his resignation. In the first Rahner explains that the ITC had a difficult relationship with the CDF. In the second he suggests that he retired due to his age, but also makes criticisms of the Cardinal President of the CDF: (1) Rahner, “Grace as the Heart of Human Existence,” in *Faith in a Wintry Season*, translated by Bernhard A. Asen and Harvey D. Egan (New York: Crossroad, 1990): 34. GO Interview with *Herder Korrespondenz* in February 1974; (2) Rahner,



This concludes our presentation of the three different early approaches towards the ITC and its future. Aside from the role played by Cardinal Šeper, there also appears to have been a controversy in 1969 regarding the ‘unauthorised publication’ of an ITC report. This may have been the text circulated by Rahner to his fellow commission members and referenced in the final communiqué.<sup>49</sup> Another area of uncertainty surrounds the resignation of Johannes Feiner at some point during the ITC’s first term (1969-1974).<sup>50</sup> There is no further information available to us regarding the resignation of Feiner.

The uncertainties regarding the purpose and working practices of the ITC were gradually resolved over the first term. It is clear that Balthasar was highly committed to his work for the commission. It appears to have been Balthasar’s first major appointment as a theologian as he was not appointed as a *peritus* (theological advisor) at Vatican II and had never held a university teaching post. Balthasar appears to have been one of the most active and creative members during the commission’s first five year term and it is possible to identify a number of his occasional publications with his work as a member of the ITC. As noted above, Balthasar was appointed to the subcommission researching the theology of the priesthood in 1969. Perhaps owing to the controversies in the wider church – particularly in the Netherlands – the ITC devoted the majority of its time in 1970 and 1971 to this research topic. Balthasar appears to have begun work on this theme immediately after the first assembly as he publishes a short article at the start of 1970.<sup>51</sup> The subcommission of which Balthasar was a member subsequently tabled a lengthy report entitled ‘The Priestly Ministry’ at the plenary assembly of the ITC on 5-7 October 1970.<sup>52</sup> After a second discussion of the Priesthood in 1971, the ITC forwarded this report for study by the 1971 Synod of Bishops.<sup>53</sup> This text formed the

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*I Remember: An Autobiographical Interview with Meinold Krauss* (London: SCM, 1985), 84. GO Television interview given to Meinold Krauss sometime after 14 March 1979.

<sup>49</sup> Delhayé, “Report on the first five years,” 3. The accusation of ‘unauthorised publication’ appears to be a reference to the following article: “Problemi teologici urgenti” *Idoc Internazionale* (Italian), 1 December 1969. Another article which might also cast light on this situation appears to have been published the following month: “la relazione di Rahner alla Commissione Teologica Internazionale del 1969” *Idoc Internazionale* (Italian), 1 January 1970. We have not had access to either text.

<sup>50</sup> The only reference available to us can be found in Küng, *Disputed Truth*, 46 (repeated p.497).

<sup>51</sup> Balthasar’s text can be found in “The Priest of the New Covenant,” in *Explorations in Theology IV: Spirit and Institution* (San Francisco: Ignatius, 1995): 353-381. GO “Priester des Neuen Bundes,” in *Pneuma und Institution: Skizzen zur Theologie IV* (Einsiedeln: Johannes, 1974): 340-368. First published in *Geist und Leben* 43.1 (Jan/Feb 1970): 39-45.

<sup>52</sup> Sharkey, *Texts*, Vol. I, 3.

<sup>53</sup> The topic of discussion in 1970 is evident from the report on the Priesthood published in Sharkey, *Texts*, Vol. I, 3-90. The topic in 1971 is reported by Ratzinger in O’Grady, “The Ratzinger Round” *The Month* (December 1973): 412.

basis of the Synod's document *Ultimis temporibus*.<sup>54</sup> During 1971 Balthasar is also reported to have contributed to a separate text taken to the Synod by the German speaking bishops and he was employed as one of the 1971 Synod's theological secretaries in which capacity he 'drafted the document on priestly spirituality'.<sup>55</sup> Following the 1971 Synodal assembly, however, it was decided that subsequent assemblies of the Synod of Bishops would restrict themselves to 'interim statements, or 'messages', leaving it to the pope of the time to issue a definitive statement in the light of each assembly's deliberations and findings.'<sup>56</sup> This has placed a limit on the possibilities for cooperation as, in the years since 1971, both the Synod and the commission have been given the identical task of providing advice to the pope.<sup>57</sup>

After the promulgation of the text on the priesthood by the 1971 Synod of Bishops, the ITC returned its attention to the question of theological pluralism. As noted above, this topic was taken up by the subcommission on 'the unity of the Faith' which was presided over by Ratzinger and which reported back to the ITC at their 1972 assembly. The outcome of this assembly was the formal adoption by the ITC of a series of fifteen propositions titled 'Unity of the Faith and Theological Pluralism'.<sup>58</sup> Delhay, who succeeded Philips in 1972 as Secretary of the ITC, reports that the first nine of the fifteen propositions were drafted personally by Ratzinger in his capacity

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<sup>54</sup> "The Ministerial Priesthood" (*Ultimis temporibus*) in Flannery, ed., *More Post Conciliar Documents*, 672-694. Flannery incorrectly attributes this document to the first synodal assembly in 1967. The official Latin text can be found in AAS 63 (1971): 898-922. The translated text in Flannery would make an interesting comparison with the ITC text in Sharkey. The 1971 synod also issued a more famous statement entitled "Justice in the World" (*De Iustitia in Mundo*).

<sup>55</sup> Peter Hebblethwaite, "The Synod on Priests" *The Month* (December 1971):166, and Peter Henrici, "A Sketch of Von Balthasar's Life" *Communio* XVI.3 (Fall 1989): 341. Henrici appears to be making the strong claim that Balthasar played the central role in the drafting of *Ultimis temporibus*. This would be an interesting topic for future research.

<sup>56</sup> Austin Flannery confirms this state of affairs for the period from 1971 until 1980: Flannery, *More Post Conciliar Documents*, xvii. Küng provides support for the claim up to 2007: *Disputed Truth*, 23.

<sup>57</sup> The ITC was asked to comment on the sacrament of penance in advance of the Sixth Ordinary Synod in 1983. The text is available in Sharkey, *Texts*, Vol. I, 229-254. However, the ITC text was not amended and published under the authority of the Synod as has been the case with its report on the priesthood in 1971. Rather, the whole Synod was summarised by the pope in the Post-Synodal Apostolic Exhortation *Reconciliatio et paenitentia* (2 December 1984). The website of the holy See reports that this is the 'first time' that the pope issued a document that was explicitly referred to as 'Post Synodal'. This marks a formalisation of the process that was adopted informally following the 1971 Synod. The latter comment is available online at:

[www.vatican.va/roman\\_curia/synod/documents/rc\\_synod\\_20050309\\_documentation-profile\\_en.html](http://www.vatican.va/roman_curia/synod/documents/rc_synod_20050309_documentation-profile_en.html) (Last accessed: 29 December 2015).

<sup>58</sup> This and all subsequent quotations from the 1972 ITC propositions are taken from Sharkey, *Texts*, Vol. I, 91-94. Also available online:

[www.vatican.va/roman\\_curia/congregations/cfaith/cti\\_documents/rc\\_cti\\_1972\\_fede-pluralismo\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_1972_fede-pluralismo_en.html) (Last accessed: 29 December 2015).

as president of the subcommission.<sup>59</sup> Delhayé further explains that propositions ten to twelve on the permanence of doctrinal statements were drafted by Louis Bouyer following a request for comment to the ITC by the Pope's Secretary of State.<sup>60</sup> Finally, Delhayé acknowledges that there were three propositions on moral pluralism. These are not attributed to a request by the Secretary of State and Delhayé does not report by whom they were drafted. Their existence is something of a puzzle and will be discussed further in section (iii) below.

Balthasar was not a member of Ratzinger's subcommission and had no formal involvement in the preparations for the 1972 assembly other than his general responsibility as a member of the ITC. Nevertheless, Balthasar appears to have undertaken extensive preparatory work which he published in a short study *Truth is Symphonic: Aspects of Christian Pluralism* (1972).<sup>61</sup> A comparison between the argument of the first part of this study and the first eight of the propositions issued by the ITC in 1972 suggests that there was a high level of agreement between Ratzinger and Balthasar. Indeed, there are a number of points in the first eight propositions which indicate that Balthasar may even have been a contributing author. These include the decision to begin from 'the ...mystery of Christ' (proposition one), the refusal to equate theological orthodoxy with a system (proposition four), a discussion of the church's 'subjectivity' (propositions four and six), the use of the term 'criterion' (proposition seven) and the characterisation of sin as 'purely pragmatic cooperation' (proposition eight).<sup>62</sup> It seems unlikely that Balthasar was able to negotiate all of these changes in an open discussion among thirty commission members. It thus seems likely that Balthasar cooperated with Ratzinger informally in the preparation of these propositions, despite the fact that he was not formally a member of the subcommission. Such cooperation fits into a pattern of close

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<sup>59</sup> Delhayé, "Report on the first five years," 3. Confirmation that Delhayé served as secretary from 1972 can be found in: Sharkey and Weinandy, eds., *Texts*, Vol. II, 407. The origin of the 1972 propositions is given in: Delhayé et al., *Commission Théologique Internationale: Textes et Documents (1969-1985)* (Cerf, 1988): 49-50. (In this text Delhayé adds that the final version of proposition nine contains text drafted by Peter Nemeshegyi, a member of the pluralism subcommission).

<sup>60</sup> The request was presumably for the ITC to advise on the permanence of doctrinal statements. Note also that Ratzinger only drafted the first nine propositions, in contradiction to the claim by Delhayé in "Report on the first five years," 3, that he drafted them all.

<sup>61</sup> Balthasar, *Truth is Symphonic: Aspects of Christian Pluralism* trans. Graham Harrison (San Francisco: Ignatius, 1987). GO *Die Wahrheit ist symphonisch: Aspekte des christlichen Pluralismus* (Einsiedeln: Johannes, 1972). It has not been possible to ascertain the precise date of publication for this text. The assumption has been made that Balthasar composed the basic text before the ITC met on 5-11 October 1972. However, Balthasar may have revised the text following the ITC assembly, possibly even adding in the section on Christian ethics.

<sup>62</sup> Sharkey, *Texts*, Vol. I, 91-92.

interaction between these two theologians in prior years.<sup>63</sup> It also fits with the hint by Delhayé that Ratzinger did not cooperate very closely with his fellow subcommission members.<sup>64</sup>

The claim that Balthasar cooperated with Ratzinger in 1972 is part of our broader argument that he was an active member of the ITC throughout its first term. This activity continued after the 1972 ITC assembly when it was decided that some commentary should be drafted to accompany the fifteen propositions that had just been agreed by the commission. This task was delegated to Ratzinger's subcommission.<sup>65</sup> However, Delhayé reports that Balthasar was involved in this process despite the fact that he was not formally a member of Ratzinger's subcommission. Delhayé also reports that the ITC returned to some of the more difficult questions of the priestly ministry at its 1973 assembly, a year for which we have found no sources regarding Balthasar's role but which coincides with the publication of the first volume of his *Theo-Drama*.<sup>66</sup> Finally, in 1974 Balthasar tabled the *Nine Propositions on Christian Ethics* for agreement by the ITC, despite the fact that he was not a member of Delhayé's subcommission researching 'the criteria for Christian moral knowledge'.<sup>67</sup> The next section of the chapter will analyse some of the factors that lay behind this last development.

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<sup>63</sup> After discussions in the margins of the ITC in 1970, Ratzinger and Balthasar had both been involved in founding the international theological journal *Communio*. Balthasar, "Communio: International Catholic Review" *Communio* 19.3 (1992): 507. The first volume of the German language version was published in 1972 (although Eamonn Conway elsewhere quotes Balthasar as giving this date as 1973: Conway, *The anonymous Christian* (Frankfurt: Peter Lang, 1993): 77 and 77n80). Balthasar and Ratzinger also published a book together: *Christ-Sein heute: Zwei Plädoyers* (Münchener Akademie-Schriften 1971).

<sup>64</sup> Delhayé, "Report on the first five years," 3. Perhaps Ratzinger was justifying himself on this point when he complained in an interview the following year that it was very hard to communicate with theologians in other parts of the world. O'Grady, "The Ratzinger Round" *The Month* (December 1973): 412. This would also mean that Hebblethwaite – in the only previous attempt in English to outline the work of the ITC during this period – is mistaken in his decision to take Ratzinger's point so seriously. Otherwise, Hebblethwaite's account relies too heavily on Rahner and displays a lack of belief in the possibilities for change through persuasion and argument. It has already been shown that the ITC began its life by taking up the most serious questions facing the contemporary church. The main weakness in the early work of the ITC identified by this chapter is that the members were not able to identify and agree upon the repairs that were needed in postconciliar theology. Hebblethwaite, *Paul VI*, 632-636.

<sup>65</sup> Delhayé et al., *Commission Théologique Internationale*, 51.

<sup>66</sup> Balthasar, *Theo-Drama I: Prolegomena* (San Francisco: Ignatius, 1988). GO *Theodramatik: Erster Band: Prolegomena* (Einsiedeln: Johannes Verlag, 1973).

<sup>67</sup> "Final Communiqué" in Sharkey, *Texts*, Vol. I, 2. The Latin text of the final communiqué is available on the website of the holy See and gives the 1969 research title as: '*De criteriis pro cognitione morali christiana*'. In this case, the latin term '*cognitione*' has been rendered as 'knowledge' after the example of Matthew O'Connell when he translates a later version of this title in "The Norms for a Christian Moral Conscience" *The Pope Speaks* 19.4 (1975): 333. A number of texts

(ii) *Balthasar's ethical experiment: the Mystery of Christ as a criterion*

The ITC research programme into 'the criteria for Christian moral knowledge' is a text which makes prominent use of the concept of 'criteria' or 'criterion'. It was noted in the previous chapter that this concept is used in GS 51 and then given great prominence in the 1966 official report of the Pontifical Commission on Population, Family and Birth. In both cases the concept of 'objective criteria' is ambiguously divine and natural. The decision of the ITC in 1969 to commission research into moral criteria represents an entry into the confusion surrounding attempts by moral theologians to interpret the texts of the council and the rejection of the official report by Paul VI in *Humanae vitae* (1968). As noted earlier, the ITC subcommission investigating moral criteria was presided over by Delhay, one of only two moral theologians on the commission during its first term.<sup>68</sup> Interestingly, the wording of the 1969 ITC work programme already takes a position with regard to the official report as it does not refer to the criteria as 'objective' and specifies instead that the criteria are Christian. This hints that the criteria might not be taken to be natural. The ITC then goes on to make further changes to the use of the concept of moral criteria in the series of propositions on pluralism agreed by the commission in 1972. These claim that there is a single 'criterion' serving as a measure for true and false pluralism in theology and advancing the new claim that there is only a single criterion, not a plurality of criteria.<sup>69</sup> It also extends the postconciliar use of the term beyond the debate about moral theology into the discussion of doctrine.

As noted above, Ratzinger has been identified by Delhay as the author of the seventh proposition of 1972 in which the term 'criterion' is used. However, this use is identical to the argument that Balthasar publishes in his study of the same year *Truth is Symphonic* (TS).<sup>70</sup> It thus seems likely that Balthasar was involved in the

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incorrectly render '*cognitione*' as conscience, despite the fact that there is another widely used term in Latin for conscience (*conscientia*).

<sup>68</sup> This claim is based on the biographies of commission members in "The Thirty Theologians" *Herder Correspondence* 6.7 (July 1969): 213-215. The other moral theologian was Stanislaw Olejnik (Warsaw Academy). One reason for the relative absence of moral theologians during the first term of this international commission was that two leading moral theologians – Häring and Fuchs – will have been excluded from consideration because they taught at "Roman" universities (i.e. Catholic universities located in the city of Rome).

<sup>69</sup> ITC, 'Theological Pluralism' (1972) in Sharkey, *Texts*, Vol. I, 91-94. The reference to criterion is on page 92 (proposition 7).

<sup>70</sup> We have not been able to establish when during 1972 *Truth is Symphonic* was published. Even if it was published after the ITC assembly held on 5-11 October 1972 (*Commission Théologique Internationale*, 51) this analysis assumes that Balthasar had drafted it before the assembly. An interesting question for future research would be to establish for certain whether or not the section on ethics was prepared before the 1972 ITC assembly. There is a possibility that it was a last minute addition to the text arising from Balthasar's unhappiness with the propositions agreed by the ITC on

incorporation of this argument into the 1972 propositions. It is also possible to identify a marked divergence between Balthasar's argument regarding 'the criterion' in TS and the final three propositions on moral pluralism from 1972. In TS Balthasar uses his account of the single criterion to address both the question of theological pluralism and the question of moral pluralism. However, the 1972 propositions only use the argument of 'the criterion' with regards to the first of these questions. The ITC's treatment of moral pluralism is very different. In other words, Balthasar's TS treats the ITC's investigations of theological pluralism and the 'criteria for Christian moral knowledge' as two aspects of the same fundamental question, whilst the formal product of the commission, the fifteen propositions on pluralism, continues to distinguish between these research questions. Balthasar's dissatisfaction with the treatment of moral pluralism in the 1972 propositions would appear to be the primary cause of the *Nine Propositions* which he tabled for consideration by the commission in 1974.

This section prepares for the interpretation of the *Nine Propositions* in chapters three and four by attending to Balthasar's argument in TS. As just noted, Balthasar's argument in TS is aimed primarily at theological pluralism, but it goes on to demonstrate that the question of moral pluralism can be treated in the same way. Our analysis will follow the same sequence by first attending to Balthasar's account of theological pluralism and then turning to his experimental account of moral pluralism.<sup>71</sup>

Balthasar's primary metaphor in TS, introduced in the first couple of pages, is of an orchestra preparing to play a symphony. At the beginning, the various instruments in the orchestra are assembled and the players start to play to themselves. The result is a cacophony of sound without musical merit. Then someone strikes an A on the piano and the players of the various instruments – although still playing largely to themselves – begin to attune their playing to this note. Finally, the conductor appears on the stage, gathers the attention of the orchestra and the players begin to play the symphony, under his guidance and using the symphony's score.<sup>72</sup>

An important feature of this metaphor is that it has duration. There are three stages: before the A, after the A but before the conductor, and after the conductor takes charge. This observation will be used in chapter three to help interpret the structure

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moral pluralism. However, it seems highly unlikely that the entire book was drafted, licenced and published within the final three months of 1972.

<sup>71</sup> Balthasar uses the term "ethics" in TS rather than morality. "Ethics" has a more philosophical resonance than "morality" in Catholic theology during this period.

<sup>72</sup> Balthasar, TS, 7-8. GO *Die Wahrheit ist symphonisch*, 7-8.

of Balthasar's *Nine Propositions*. For the moment, the main feature of interest is the way in which the metaphor informs Balthasar's treatment of theological pluralism. Once the orchestra has started playing the symphony there is a clear complementarity between the diversity of the instruments (and players) and the unity of the symphony. To put this another way, the players are each doing something different: they are using their particular instrument to play a particular line of the score. At the same time the players are doing a single thing: they are playing a symphony. Balthasar uses this metaphor of unity-in-difference and of difference-in-unity to designate the relationship between theologians and their varied theological arguments.

Balthasar's rich symphony metaphor generates a number of questions, including the role played by the score which directs the performance of the players. For the moment, we will consider the ways in which Balthasar's metaphor of the symphony challenges or transforms the ITC's account of theological and moral pluralism. It is clear that Balthasar wishes to make a contribution to the question facing the ITC because he uses the high-profile concept of the criterion. Thus, Balthasar argues that his aim in TS is to identify 'a practically applicable criterion for the right path to knowledge' which can be used to mark out the limit of 'permissible theological pluralism'.<sup>73</sup> This latter point repeats the formulation used by the ITC in response to Rahner's advocacy of theological pluralism at their 1969 assembly. This assembly had taken place within a year of the publication of 'Freedom for Theology' and Rahner was one of three scholars involved with that statement who had been appointed to the ITC.<sup>74</sup> As we have seen, the commission's 1969 communiqué states that: '...there exists a pluralism that is legitimate and necessary, even in regard to doctrine'.<sup>75</sup> The concept of the criterion was then introduced to the debate at the 1972 assembly in Ratzinger's seventh proposition on theological pluralism.

Consistent with the metaphor of the symphony, the criterion that Balthasar proposes in TS by which to determine the limit of legitimate doctrinal pluralism is also the title of the new theological journal which he had been responsible for founding, namely, 'participation, *communio*'.<sup>76</sup> Explained a little more fully, Balthasar characterises permissible theological arguments as those that 'take their stand within the all-embracing mystery [of Christ]'.<sup>77</sup> This is difficult to interpret because it is difficult to

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<sup>73</sup> Balthasar, TS, 37 and 65. GO *Die Wahrheit ist symphonisch*, 32 and 55.

<sup>74</sup> See note 21 above.

<sup>75</sup> "Final Communiqué," in Sharkey, *Texts*, Vol. I, 2.

<sup>76</sup> Balthasar, TS, 38. GO *Die Wahrheit ist symphonisch*, 33. There are no italics in the German original. For a brief discussion of the formation of *Communio* see note 63 above.

<sup>77</sup> Balthasar, TS, 61. GO *Die Wahrheit ist symphonisch*, 53.

understand how participation might be taken to be a ‘criterion’ for judging permissible and impermissible theological arguments. Surely it is an activity rather than a governing principle? Balthasar does not clarify this interpretative problem in TS as he uses the temporal terms ‘path’ or ‘perspective’ interchangeably with the more formal concept of a ‘criterion’. Thus, in order to understand better how Balthasar’s symphonic participation might work as a ‘criterion’ we will divert our attention for a moment to a text from the eighteenth century by Hegel.

There is a gap of at least 175 years between Hegel’s ‘The Spirit of Christianity and its Fate’ (1798-1799) and Balthasar’s TS.<sup>78</sup> There are two general reasons why one might turn to Hegel to help one understand Balthasar. First, Hegel has a famously communal account of ethical life (*Sittlichkeit*) which resembles Balthasar’s concept of *communio* (participation).<sup>79</sup> Second, the Anglican theologian Ben Quash has argued that ‘Hegel accompanies von Balthasar’s thought everywhere in his trilogy’.<sup>80</sup> A third, more particular, reason is that it is clear that Balthasar had read this text by Hegel as he paraphrases a section in his *Theo-Drama I* published in 1973.<sup>81</sup>

There is evidence from *Theo-Drama I* – published in between TS and the *Nine Propositions* – that Balthasar read widely in the philosophy of Hegel. However, for the purposes of interpreting TS and the *Nine Propositions* we will only be referring to ‘The Spirit of Christianity and its Fate’ (henceforth, SCF). We use this text as a heuristic device to cast light on Balthasar’s treatment of theological and moral pluralism, and on the participatory use that Balthasar makes of the concept of a criterion.

It is important to note at the outset that Hegel makes no claim to theological orthodoxy in SCF and assumes unorthodox versions of the doctrines of creation, the

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<sup>78</sup> Hegel, ‘The Spirit of Christianity and its Fate’ in T. M. Knox (trans.) *Early Theological Writings* (Philadelphia: University of Pennsylvania Press, 1971): 182-308. GO Herman Nohl (ed.) *Hegels theologische Jugendschriften* (Tübingen: J. C. B. Mohr (Paul Siebeck) Verlag, 1907): 243-342. This text received its title from Herman Nohl, the editor responsible for publishing it in the early twentieth century. For the attribution of the title to Nohl see Hegel, *Early Theological Writings*, vi. The date of the text is given on pp.vii and viii.

In SCF Hegel takes up the challenge of giving a philosophical account of the Christian religion. He ultimately determines Christianity to be flawed. However, the philosopher Andrew Bowie reports that his friend and colleague Friedrich Schelling took up the challenge ‘to make Christianity into a philosophically viable religion’ in the period following his *Freiheitschrift* (1809). Bowie, *Schelling and Modern European Philosophy* (Abingdon: Routledge, 1993), 141. Schelling had fallen out with Hegel by the 1820s (Bowie, *Schelling*, 127).

<sup>79</sup> Balthasar distinguishes *communio* from *Sittlichkeit* by claiming that the former is a lived relationship whereas the latter is merely an ‘idea’. Balthasar, *Theo-Drama I*, 71. GO *Theodramatik*, 66.

<sup>80</sup> Quash, *Theology and the Drama of History* (Cambridge: CUP, 2005): 12 n21.

<sup>81</sup> Balthasar, *Theo-Drama I*, 71-72. GO *Theodramatik*, 66.



eschaton, Scripture, Trinity and Christ. With regards to the latter, Hegel argues that Christians should only worship Jesus Christ in his divine nature, thus denying the significance of Christ's humanity. Balthasar would not find these claims by Hegel persuasive.

It is also important to note that Hegel's discussion of 'the Jewish spirit' in SCF is disturbing.<sup>82</sup> The account of this spirit is highly stylised, being subordinated to Hegel's critique of the moral philosophy of Kant. Abraham and his descendants are presented as proto-Kantians who exist under the mastery of a 'God' who is entirely distinct from the natural world.<sup>83</sup> The role being played by Kant is evident from clues such as Hegel's occasional use of the technical term 'Ideal' to stand in for 'God' and by the former's sudden appearance in the argument.<sup>84</sup> Thus, in the course of promoting his own philosophy over that of Kant, Hegel offers an utterly supersessionist account of the relationship between Christianity and Judaism. This adds to the list of unorthodox theological claims in SCF.<sup>85</sup>

Behind Hegel's highly problematic account of the Jewish spirit is a dense discussion – in conversation with Kant – of the philosophy of law. The concept of law is closely related to that of a criterion and an appreciation of Hegel's discussion casts considerable light on the shape of Balthasar's argument in TS and the *Nine Propositions*.

In SCF, Hegel uses the term 'whole' to refer to the total context within which human existence finds itself. He further argues that this '...whole can be divided only into idea and reality, so also the supreme unity of mastery lies either in something thought or in something real.'<sup>86</sup> Laws, then, cannot be an expression of the whole because they are entirely restricted to the realm of ideas, i.e. thinking. In the case of the Jewish spirit, Hegel argues that they only had a single kind of law – 'religious laws' – and that these were experienced as 'purely objective commands' from "God".<sup>87</sup> Later, as part of his total opposition to the Jewish spirit, Jesus introduces a distinction between religious laws, which relate to the worship of the divine, and moral or civil laws which refer to nature. As Hegel explains:

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<sup>82</sup> Hegel, SCF, 189.

<sup>83</sup> Hegel, SCF, 187.

<sup>84</sup> Hegel, SCF, 187 and 213. In the case of the former see also editor's footnote ten.

<sup>85</sup> Hegel repeatedly emphasises the total opposition between Jesus and the Jewish spirit. See e.g. Hegel, SCF, 205, 207, 208, 214, 271 and 281.

<sup>86</sup> Hegel, SCF, 187.

<sup>87</sup> Hegel, SCF, 195 and 209. In a fragmentary part of the text, the Jewish account of law is characterised as 'positive' (p.206).

Against purely objective commands Jesus set something totally foreign to them, namely, the subjective in general; but he took up a different attitude to those laws which from varying points of view we call either moral or else civil commands. Since it is natural relations which these express in the form of commands, it is perverse to make them wholly or partly objective. Since laws are unifications of opposites in a concept, which thus leaves them as opposites while it exists itself in opposition to reality, it follows that the concept expresses a should [*Sollen*].<sup>88</sup>

The first phrase deals with the opposition which Jesus is said to offer to the religious dimension of the Jewish spirit. Where the Jewish people took themselves to be the dutiful servants of abstract objectivity Jesus asserted the co-primacy of subjectivity. This is best understood as the reassertion of subjective inclination – grounded in reality – against religious duty, grounded in the idea of God. Recall here that there are two sides into which the whole can be divided which we will refer to, henceforth, using the pair thinking/being rather than idea/reality.

Jesus also drew attention to the fact that moral and civil laws – that is, laws that refer to being – cannot be treated as in any way objective since they are conditioned by something finite. In particular, Hegel argues that they are generated by oppositions between individuals or groups in lived human existence. Rather than fight for mastery over a particular question, these opposed parties agree – in thought – upon a shared path of action. The product of this agreement is a moral law if it is agreed by all, or a civil law if it is agreed under pressure from political might. In both cases, it remains an open question whether the agreement will be lived out in reality (being). Thus, laws are always, for Hegel, unifications in a concept (thinking) and are always opposed to reality (being). This opposition to reality is expressed by a ‘should’.

This treatment of law is fundamental to Hegel’s argument in SCF because it rules out the possibility that law can ever be the basis for the fundamental human task of reconciliation. Hegel also attributes this view to Jesus. At the time that he was writing TS, Balthasar may have found Hegel’s critique of Kantian moral philosophy of interest, as recent developments in moral theology had been generated by the latter. In particular, Alfons Auer’s emphasis on ‘autonomy’ – which is not analysed in this thesis – had recently taken up one of Kant’s central moral concepts.<sup>89</sup> Balthasar may have been interested in Hegel’s basic criticism that Kantian accounts of reconciliation around a moral law – let alone moral laws – are inherently

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<sup>88</sup> Hegel, SCF, 209. My emendations.

<sup>89</sup> Auer’s 1971 study has been identified as the origin of ‘autonomous ethics’ in moral theology: *Autonome Moral und christlicher Glaube* (Düsseldorf: Patmos-Verlag, 1971).

alienating. In other words, they represent the triumph of the objective (law/duty) over the subjective (inclination). Everyone involved in this kind of Kantian thinking is presupposing that they are internally divided between their duty and their inclination. Against this account, Hegel proposes the philosophy of love. This form of thinking recognises that all distinctions, including the distinction between duty (to obey laws) and inclination, are the product of human thinking and are not a sufficient basis to reconcile the whole. A thinker who follows Hegel on this point refuses to pursue reconciliation in a way that requires them to imagine that they are internally divided between their duty and their inclination.

In SCF, Hegel uses the concepts of 'love' and 'life' in quite particular ways. Life is released once the one-sidedness of law and duty have been eliminated from thinking. Love is then the kind of relationship between human beings ('differents' in Hegel's strained vocabulary) which is generated by life.<sup>90</sup> As has already been mentioned, Jesus is presented as the teacher of life who inaugurates a community of love (the Church). However, Hegel gives divergent accounts of the agent who is loving and alive, on the one hand, and of the particular relationship between Jesus and the Jewish spirit, on the other.

Maintaining his highly disturbing supersessionism, Hegel explains that it was impossible for the various factions within second temple Judaism to be reconciled in love.<sup>91</sup> Thus, 'enmities like those he [Jesus] sought to transcend can be overcome only by valour; they cannot be reconciled by love.'<sup>92</sup> This introduces a striking account of evil which bears similarities to Balthasar's account in the *Nine Propositions*. Briefly noted, the root of evil is not rule-breaking, nor enmity nor violence, but the rejection of the philosophy of love. In the particular case of second temple Judaism, the philosophy of love has been rejected so utterly that battle is apparently the only possible response, even from Jesus who is living the philosophy of love.

The meaning of Hegel's distinction between valour and love becomes clearer later in the text when Hegel gives his account of the life of love. In the present state of the world, such a life is confronted by what Hegel terms 'fate' [*Schicksal*]. This 'appears to arise only through another's deed' but is in fact a kind of loving relation to the world. If one receives an 'unjust attack' then one can either hold onto one's right or

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<sup>90</sup> Hegel, SCF, 215.

<sup>91</sup> This claim continues Hegel's characterisation of the Jewish spirit which began with the assertion that Abraham 'wanted not to love, wanted to be free by not loving'. Hegel, SCF, 185.

<sup>92</sup> Hegel, SCF, 205.

one can give it up. The former option can take the form of ‘battle or submissive grief’. In the case of battle, one courageously enters into a defence of one’s right, whilst, in the case of submissive grief, one laments that one is unable to defend what belongs to oneself (i.e. one’s right). Both are therefore ways of retaining one’s right.<sup>93</sup> Confusingly, battle is the response which Hegel earlier saw Jesus offering to the Jewish spirit. In this later part of the text, Hegel proposes that the path of the philosophy of love does not lie in the retention of one’s right. Rather, Hegel offers a stoical account of the life of love and argues that those who follow the path of love must refuse to hold onto their right in the manner of battle or submissive grief, but must accept their fate: ‘Every grief which thus results to him is so far just and is now his unhappy fate, a fate which he himself has consciously wrought; and it is his distinction to suffer justly, because he is raised so far above these rights that he willed to have them for enemies. Moreover, since this fate is rooted in himself, he can endure it, face it, because his griefs are not a pure passivity, the predominance of an alien being, but are produced by himself.’<sup>94</sup> Those living this life of love cannot appeal to an external judge (who would be alien to them) and cannot hold onto their right (which is a kind of law) but actively suffer unhappiness for the purpose of holding themselves open to the free, loving reconciliation of the whole.

This analysis will not explore the inconsistency between Hegel’s account of Jesus and his account of the life of love, although it promises an interesting avenue for future research. The primary benefit of setting out Hegel’s opposition between law and life/love is that it can be used to cast light on Balthasar’s approach to pluralism in TS and the *Nine Propositions*. For example, towards the end of his discussion of the Jewish spirit, Hegel revisits the prohibition on idolatry: ‘[b]y serving strange gods, they were untrue not to one of the laws which we call “laws of the land” [*Staatsgesetz*] but to the principle of their entire legislation and their state...’.<sup>95</sup> The point that Hegel is making at this moment is that the worship of other gods is a transgression of the absolute distinction, between Abraham’s ‘God’ and nature, which has generated the particular Jewish spirit. Indeed, when introducing the Mosaic law, Hegel explains that ‘[t]he principle of the entire legislation was the spirit inherited from his forefathers, i.e., was the infinite Object...’.<sup>96</sup> Thus, when Hegel refers to the ‘principle’ of the Jews he is referring to the characteristic mark of their spirit: the priority of law, duty and objectivity over the Jewish people. Indeed,

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<sup>93</sup> All quotations from Hegel, SCF, 233.

<sup>94</sup> Hegel, SCF, 235.

<sup>95</sup> Hegel, SCF, 200-201.

<sup>96</sup> Hegel, SCF, 191.

towards the end of SCF Hegel summarises his account of the Jews with the claim that ‘...there yet always remains the Jewish principle of opposing thought to reality, reason to sense...’.<sup>97</sup>

This discussion of Hegel’s use of the concept of ‘principle’ is helpful because he uses it when he comes to contrast Christianity with his caricature of the Jewish spirit. It has already been noted that Hegel repeatedly emphasises that Jesus sets himself against the Jewish spirit in its entirety. However, it has not yet been noted that Hegel describes this relationship, at one point, as ‘a conflict of principles’.<sup>98</sup> Jesus, on Hegel’s account, has diagnosed the inadequacy of law as a basis for reconciliation, recognising that it is grounded only in human thinking and not in reality (or being). As it becomes clearer to the Jewish people that Jesus is opposing the entire principle of their spirit, a conflict emerges between the new principle being proposed by Jesus (life of love) and the Jewish principle (law of ‘God’). This new principle is adequate to the task of reconciliation because it is not restricted to thought in the manner of law.

Taken at its most general, this discussion of Hegel’s use of ‘principle’ assists the reader to interpret passages where Balthasar makes use of the term. For example, when Balthasar refers to Jesus Christ and Adam as the two principles of universal solidarity in *Theo-Drama I*, this can be read as a similar way of characterising spirits to that of Hegel in SCF.<sup>99</sup> Balthasar contrasts the natural spirit of the whole (Adam) with the redeemed spirit of the whole (Christ) whilst Hegel contrasts the dutiful spirit of the Jews with the loving spirit taught by Christ. This method of cultural analysis is summarised at one point by Hegel with the words: ‘...what unites men is their spirit and nothing else...’.<sup>100</sup>

Accepting that Balthasar interprets communities in terms of their ‘principle’ or spirit, it is worth briefly commenting on Balthasar’s transition, in the course of the first part of TS, from using the concept of a ‘principle’ to that of a ‘criterion’. The prominence of ‘criterion’ in postconciliar moral theology was noted at the start of this section and Balthasar should be read in this light, i.e. switching from the concept of a ‘principle’ to a ‘criterion’ is Balthasar’s way of including contemporary debates about theological and moral criteria within his argument in TS about theological pluralism.

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<sup>97</sup> Hegel, SCF, 259.

<sup>98</sup> Hegel, SCF, 253.

<sup>99</sup> Balthasar, *Theo-Drama I*, 222. GO *Theodramatik*, 203-204.

<sup>100</sup> Hegel, SCF, 194.

A more interesting comment is to notice the way in which Balthasar uses this method of analysis differently from Hegel in SCF. In TS, Balthasar's advance towards '[t]he criterion of dogma' reaches a different conclusion than Hegel's principle of the life of love in SCF.<sup>101</sup> Firstly, Balthasar argues that whilst '[m]an is always trying to assemble the multifarious aspects of truth under a single principle that he can grasp', '...we must give up the idea of possessing this principle ourselves.'<sup>102</sup> Furthermore, Balthasar proposes that the Mystery of Christ is the criterion of the Christian church. This is more specific than Hegel's principle of nonpersonal living beauty and, according to Balthasar, its mystery quality means that the principle cannot be reduced merely to an object in the world.<sup>103</sup> This means that the Mystery of Christ cannot ever be completely grasped by any individual or community.

Before further interpreting Balthasar's claim in TS that the Mystery of Christ is the criterion of true theological pluralism it is helpful to rehearse Hegel's critique of Christianity in SCF in a little more detail. Hegel applauds the Christian decision to recognise the significance of subjectivity in contrast to the Jewish service of objectivity. However, the Christian community ultimately fails to find 'the middle course of beauty between extremes'.<sup>104</sup> What the Christian community sought was a 'presentation of the love uniting the group'.<sup>105</sup> For this purpose, Hegel argues, they gradually divinised Jesus, the founder of their way of life.<sup>106</sup> However, the fact that Christians hold onto the humanity – which means the finitude – of Jesus Christ represents a passive submission to fate. There is simply no way in which the Christian community can unite with a man who is dead and, by holding onto this impossible desire, the community prevents the 'coalescing' of reality and spirit, being and thinking, into 'pure nature'.<sup>107</sup> Thus, it is the fate of the Christian religion never to reconcile the entirety of the whole of existence in love. According to Hegel, the road that would have been preferable for Christians to have taken is to worship Jesus as a means of worshipping the divinity of the whole. This reflects Hegel's unorthodox doctrine of creation in which the fall of humanity is associated with Noah's flood – a contingent disaster – and with his claim that Jesus taught that 'nature is greater than the temple'.<sup>108</sup> If Christians were prepared to let go of the

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<sup>101</sup> Balthasar, TS, 64. *GO Die Wahrheit ist symphonisch*, 55.

<sup>102</sup> Balthasar, TS, 25. *GO Die Wahrheit ist symphonisch*, 22.

<sup>103</sup> Hegel, SCF, 301.

<sup>104</sup> Hegel, SCF, 288.

<sup>105</sup> Hegel, SCF, 293.

<sup>106</sup> Hegel, SCF, 291.

<sup>107</sup> Hegel, SCF, 300.

<sup>108</sup> Hegel, SCF, 208.

worship of Christ in his contingent human nature then they would actively seek reconciliation (rather than passively desire the impossible) and end up at the position of Hegel. This latter position is that of an eighteenth century philosopher who is attempting to persuade his readers to give up their Kantian illusions of reconciliation by law and live the active and beautiful life of love.

Hegel's unorthodox characterisation of Old Testament Israel and the Christian church in SCF is a powerful and highly problematic analysis of Christian faith. In the light of Hegel's analysis, Balthasar's account of the criterion of the Mystery of Christ can be seen to be equally powerful and as maintaining orthodox doctrinal positions. One of the key features of Balthasar's account, which we have already noted, is his attribution of a mystery quality to the criterion of the Mystery of Christ. Before probing this point further in the text of TS, we will first sketch Balthasar's account of the knowledge of God in *The Glory of the Lord VI* (1967).<sup>109</sup> This is helpful because it introduces the important and difficult concept of the 'divine "I"' which Balthasar also uses in TS.

Balthasar's account of the 'divine "I"' in *Glory VI* emerges out of his interpretation of glory in the Old Testament and the related, but consequential, themes of image and word.<sup>110</sup> On the one hand, Balthasar argues that the glory of the Lord is the primary content of Scripture.<sup>111</sup> At the same time, Balthasar insists that this is always and completely a *divine* glory because God does not in any way become 'submerged in the biological sphere'.<sup>112</sup> The theological challenge, then, is to articulate how the infinite, unknowable, transcendent God makes himself known in salvation history to finite creatures.

According to Balthasar, to gain the knowledge of the divine glory of God it is necessary for finite creatures to be 'transported' (by God) beyond their natural state and to be given (by God) a 'supernatural glance' or 'enlightened eyes'.<sup>113</sup> Even then, however, this knowledge of the divine has two specific features. In the first place, the transportation of faith is always associated with finite sensory signs since: 'there is no such thing as 'purely spiritual' revelations on God's part.'<sup>114</sup> This association is difficult to articulate because the sensory signs themselves are not the divine glory of God. However, they are the necessary accompaniment of the revelation of God and

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<sup>109</sup> Balthasar, *The Glory of the Lord VI: Theology: Old Covenant* (Edinburgh: T&T Clark, 1991).

<sup>110</sup> Balthasar, *Glory VI*, 15.

<sup>111</sup> Balthasar, *Glory VI*, 10.

<sup>112</sup> Balthasar, *Glory VI*, 34.

<sup>113</sup> Balthasar, *Glory VI*, 9 and 13; 35n5 and 86.

<sup>114</sup> Balthasar, *Glory VI*, 34.

call 'the person addressed to 'attention' before the absolute subject that is making itself present to him'.<sup>115</sup>

A second feature of this account is that the supernatural knowledge gained by the finite creature is of God's *glory*. This paradoxical knowledge thus has all the characteristics of an experience and is an 'undialogical presupposition' upon which a dialogue between finite creatures and infinite God can be started.<sup>116</sup> Indeed, it is only subsequently, after the experience of being overawed and transported, that the creature becomes constituted as a finite subject (imaging God's infinite subjectivity) and that the creature also receives the decalogue as a form of divine speech that is just beginning.<sup>117</sup>

This account of the experience or knowledge of God in the Old Testament provides the context within which Balthasar introduces his concept of the 'divine "I"'. The primary purpose of this concept appears to be to insist that the non-verbal primal and paradoxical experience of the glory of God provides a true basis for the knowledge of God, that is, of God's *nature*.<sup>118</sup> In developing this argument, Balthasar offers a tentative analogy between a human person and God. In the Old Testament account of a person, Balthasar notes that there is a connection between the glory or weightiness of a person and their self. Thus, 'it is not only the mysterious external radiance that is designated as *kabod* [glory], but also the 'radiant centre' of the person himself, his 'I' or 'self' in its stateliness for himself and for others.'<sup>119</sup> In other words, the imposing force of any particular person, as they appear in ordinary human interaction, is taken by Balthasar as being revelatory of their "I", understood as their essential character and personhood. On the basis of this analysis, Balthasar is prepared to talk about the glory of God as the "imposing force" of God truly revealing the essential character and personhood of God, i.e. the 'divine "I"'. Balthasar then goes on to fill out this concept of God's self, by noting that it is a personal source of divine activity, and thereby accounting for the fact that it is God who initiates his revelation to the people of Israel. This activity takes the form of speaking and acting but always without compromising the (paradoxical) fact that even when truly seen and heard, God remains utterly unknowable.<sup>120</sup>

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<sup>115</sup> Balthasar, *Glory* VI, 35.

<sup>116</sup> Balthasar, *Glory* VI, 11.

<sup>117</sup> Balthasar, *Glory* VI, 58 and 57.

<sup>118</sup> Balthasar, *Glory* VI, 54.

<sup>119</sup> Balthasar, *Glory* VI, 33.

<sup>120</sup> Balthasar, *Glory* VI, 53-54.



We will now return to TS and see how the ‘divine “I”’ and the criterion of the Mystery of Christ are used by Balthasar to address the question of true and false pluralism in doctrine. In the core metaphor of the symphony introduced above, the period corresponding to the Old Testament is that of the A note being sounded and the players gradually attuning themselves to this note. In the terms of *Glory VI* this can be interpreted as the beginning of God’s self-revelation by means of his glory. Once this has begun, there is an entirely new acting area between God and humanity – opened up by the experience of the Glory of the Lord – and one can either be inside or outside it. Thus, Balthasar argues that if a Christian was to ignore revelation and ‘...seek his alleged salvation by turning exclusively to his fellow creatures ..., such a Christian would, for himself, have already stepped outside the proper sphere of revelation.’<sup>121</sup> This is an excellent anticipation of Balthasar’s argument in TS in which participation in the Mystery of Christ is the criterion of true pluralism in theology.

There is, however, a difference between an active participation in Christ, described by Balthasar in TS, and an attention to, or receipt of, the glory of God in the Old Testament. This difference reflects the deepening of God’s self-revelation which takes place in the Mystery of Christ. As Balthasar explains it, ‘[t]he “I” of Jesus Christ is the measure of God’s distance from and nearness to man, that unimaginable nearness of him who is, and remains, even more unimaginably sublime above everything in the world...’.<sup>122</sup> Put another way, the *mystery* of Christ, expressed in Christological doctrine, is the close association of God’s divine “I” and the human “I” of the person Jesus. This goes beyond the Old Testament experience in which numerous sensory signs are associated, in an ad hoc manner, with a ‘transported’ experience of the glory of the Lord. These are now replaced by a single specific sensory sign with which God’s divine “I” is in the closest possible association. Thus, ‘the human “I” of Jesus Christ extends (in a way that is beyond our comprehension) into the being and the speech of a divine “I”...’.<sup>123</sup> At the same time, Balthasar maintains that the divine “I” is still divine, and cannot be known in itself by finite knowers. It remains ever beyond the grasp of human creatures like pure white light after a beam has been refracted through a prism, or like the genius of a conductor who brings a symphony to life from a score and a set of players.

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<sup>121</sup> Balthasar, *Glory VI*, 11.

<sup>122</sup> Balthasar, TS, 28. GO *Die Wahrheit ist symphonisch*, 24.

<sup>123</sup> Balthasar, TS, 32. GO *Die Wahrheit ist symphonisch*, 28.

After establishing his account of the Mystery of Christ, Balthasar develops the argument that the “I” of Jesus Christ ‘is the organic and organising focus of truth.’<sup>124</sup> He goes on to express the consequence for pluralism for theology as follows:

The principle of unity, which alone enables us to set the pluralist utterances in order, and hence to understand them, is not itself objectified in such a way that the uttering becomes the uttered. It can never be manipulated by man, by the theologian, for example, in an attempt to build a system of divine truth or of absolute knowledge from it. It remains the “I” of God in Christ, which can never be given to us in such a way that it comes to an end...<sup>125</sup>

In this passage, Balthasar argues that the divine “I”, revealed definitively in Christ, is the principle of unity for the church and, by extension, for the world. It is thus capable of ‘setting the pluralist utterances in order’. Balthasar’s reference to objectification and uttering/uttered presupposes his account of the revelation of the divine “I” which we have just rehearsed from *Glory VI*. Specifically, Christians are able to gain true knowledge of the divine “I”, but this “I” always remains paradoxically beyond knowledge. This is the basis for Balthasar’s claim in the above passage that the principle of unity can never itself become ‘objectified’. Similarly, because the divine “I” can never be objectified, it manifests itself, in the form of the self-revelation of God, as an infinite uttering. This is reflected in the reference in the final quoted sentences to the fact that the “I” of God in Christ never ‘comes to an end’. It can also be understood, of course, as an allusion to the scriptural motif of Jesus Christ as the word of God.

Balthasar’s reference, in the second sentence, to a ‘system... of absolute knowledge’ would seem to be a vague allusion to the philosophy of Hegel, possibly deliberately echoing the title of the concluding section of Hegel’s *Phenomenology of Spirit* (1807). Whether or not this allusion is meant, Balthasar is clearly seeking to avoid a doctrinal rationalism which claims to have grasped the principle of Christian existence in thought such that it can work out a system, in thought, which is absolutely valid. Thus, Balthasar is emphasising the fact that whilst Christians have true knowledge about the measure of theological pluralism – i.e. the divine “I” which can be discerned in the Mystery of Christ – this is not a knowledge that overrides human spontaneity and inclination. Rather, it is a knowledge which brings order in the manner of a conductor of an orchestra. It is an order which requires a freedom and responsiveness in its exercise. Thus, when Balthasar refers to the Mystery of

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<sup>124</sup> Balthasar, TS, 34. GO *Die Wahrheit ist symphonisch*, 30.

<sup>125</sup> Balthasar, TS, 36. My emendations. GO *Die Wahrheit ist symphonisch*, 31-32.

Christ ‘setting the pluralist utterances in order’ this is not merely an order in thought, but also in lived reality through the body of Christ, the church. Similarly, any false pluralism will have to be both an expression of freedom of thought and a rejection of the community of practice which Christ has inaugurated.

The section of Balthasar’s TS that remains to be discussed is his extension of his argument to the question of pluralism in moral theology. It is this extension which opens up the divergence between Balthasar and the majority of ITC commission members over the final three propositions of 1972. The section of TS on ethics occurs at the end of the first part and has a highly experimental feel. Indeed, Balthasar hints at one point that he is not entirely satisfied with this part of his argument.<sup>126</sup> It begins with the assertion that the ‘mystery of Christ’ can be used to resolve the problem of moral pluralism in the same manner that it is used to resolve the problem of doctrinal pluralism:

m. *Ethics*

The criterion we have established is valid for dogmatics. It shows that the multiplicity of approximate forms of expression is perfectly normal, indeed indispensable. The Christian has no cause for alarm at this plurality. The mystery itself, in its maximality, serves as the critical instance selecting and grading the formulas, and the Church’s teaching office, supported by theology, allows itself to be guided by this criterion in its theoretical and practical direction [*Weisung*].<sup>127</sup>

In this passage it is the concluding reference to ‘theoretical and practical direction’ which identifies the single response which Balthasar is offering to the two kinds of pluralism. The main innovation of this passage is the introduction of the ‘teaching office’ of the church into the discussion of pluralism for the first time. Here, Balthasar’s use of the technical term ‘direction’ [*Weisung*] is consistent with the conventions of this period, and is repeated in the *Nine Propositions*.<sup>128</sup> More surprising, perhaps, is the absence of any reference to the people of God, after the manner of LG 12, who might also be able to apply the criterion by reaching a consensus on questions of faith and morals.

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<sup>126</sup> ‘There are no ready-made solutions for these complex questions’. Balthasar, TS, 84. GO *Die Wahrheit ist symphonisch*, 73.

<sup>127</sup> Balthasar, TS, 81. My emendation. GO *Die Wahrheit ist symphonisch*, 70. Note that the German original does not have a section “j” and so the “Ethics” section is marked as “n.”.

<sup>128</sup> For an example of contemporary use see the title of this article by Auer: “‘Humanae vitae’: Zehn Thesen über die Findung sittlicher Weisungen’ *Theologische Quartalschrift* 149 (1969): 75-85. For its use in the *Nine Propositions* see page 123 in chapter three below.

In other respects, Balthasar's account of Christian ethics is an excellent repetition of the argument of LG which is discussed in the previous chapter. On the one hand, Balthasar accepts that there can only be one Christian ethics which is equivalent to the claim in chapter five of LG that there is only one call to holiness. On the other hand, Balthasar struggles to articulate the difference between religious, who have traditionally excelled in ascetical theology, and the lay faithful, who have been directed towards the teaching of moral theologians. It will be recalled that LG allows a distinct chapter on religious whilst emphasising the unity of the church. Balthasar takes up this position, but scrutinises the kind of ethical unity which might result from LG: 'Is the church then to leave them [the faithful] to their own "consciences", merely helping them on their way with some humanistic notion of love or social awareness, but sparing them the specifically Christian norms and commandments [*Geboten*]?',<sup>129</sup>

Balthasar's response to his own concern is that the church must maintain 'the stringency of the one commandment of love' and he illustrates this stringency by reference to the 'precise and hard conclusions [*Folgerungen*] of the Sermon on the Mount.'<sup>130</sup> The strain in Balthasar's argument is evident here. The reference to 'norms and commandments' is weakened by a question mark, suggesting that Balthasar wishes to affirm certain moral claims whilst avoiding the absoluteness of law which was critiqued by Hegel in SCF. This commitment is further evident in the reference to the single 'commandment of love' (the only "commandment" that Hegel will allow) and the characterisation of the Sermon on the Mount as offering a series of logical inferences ("conclusions") from that single commandment. Hegel, of course, has no problem with the idea that agents who learn to love might suffer due to their renunciation of right in the face of a still-hostile world. This is the aspect of Hegel's argument which Balthasar wishes to use as a ground for the 'stringency' of Christian ethics and, thus, for the fact that difficult teaching from pope and bishops is something to be expected (an implicit comment on the *Humanae vitae* crisis.<sup>131</sup>)

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<sup>129</sup> Balthasar, TS, 84. GO *Die Wahrheit ist symphonisch*, 72-73. A similar concern has recently been aired regarding the Anglican communion: '... there is little doubt that Anglicanism has gone way too far... and offers its members pitifully little guidance and only partial and sporadic leads on doctrine and practice.' John Milbank "After Rowan: Priorities for the Anglican Communion" *ABC Religion and Ethics* (28 September 2012). Available online: [www.abc.net.au/religion/articles/2012/09/28/3599887.htm](http://www.abc.net.au/religion/articles/2012/09/28/3599887.htm) (Last accessed: 29 December 2015).

<sup>130</sup> Balthasar, TS, 83 and 84. GO *Die Wahrheit ist symphonisch*, 72 and 73.

<sup>131</sup> For further information on the aftermath of *Humanae vitae* see e.g. Küng, *Disputed Truth*, 76-79, and Delhaye, "Conscience and Church Authority," John L. Sullivan trans., in *Louvain Studies* 2 (1968-69): 355-357.

In the final analysis, Balthasar's experimental account of Christian ethics in TS lapses into two implausible formulations. In the first place, Balthasar argues that, whilst Jesus permanently embodied 'the new law of love', he also held 'diverse attitudes' towards different groups of people. In particular, Jesus laid 'rigoristic requirements' on his disciples and acted with 'indulgent magnanimity' towards sinners.<sup>132</sup> Balthasar subsequently argues that '[t]he ages that, it was thought, put forward a double standard of morality (one for better and one for ordinary Christians) are basically those in which people believed they could manage with a single morality, applied analogically.'<sup>133</sup> On this argument, there has never been a distinction between ascetical and moral theology, but only two 'analogical' readings of the requirements of love for different situations. If this was the case, of course, then there would have been no controversy over the 'universal call to holiness' in LG and no popular rejection of the legalism of the moral manuals. By claiming that moral theology and ascetical theology were analogues, Balthasar appears to be rewriting the laity's practical experience of the moral manuals. These were not experienced as indulgent and magnanimous but as legal and obligatory. Balthasar's desire to avoid criticising previous generations of moral theologians, an aspect of his commitment to the unity of the church, strains his credibility to the limit.<sup>134</sup>

In the second place, however, Balthasar argues that there should now be, in the postconciliar period, only a single morality which is the single demand of love revealed by Christ. However, Balthasar then breaks with his own argument to suggest that the 'Church can and must issue certain guidelines [*Richtlinien*]'.<sup>135</sup> This is immediately followed by the reminder that the love of Christ is 'indivisible'. However, once the teaching office has been permitted to issue guidelines which express the love of Christ, Balthasar appears to be drifting towards an account of moral law which is vulnerable to Hegelian critique. Either that or these guidelines simply articulate what is already the case and carry no connotation of obligation.

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<sup>132</sup> Balthasar, TS, 81. GO *Die Wahrheit ist symphonisch*, 70.

<sup>133</sup> Balthasar, TS, 83. GO *Die Wahrheit ist symphonisch*, 72.

<sup>134</sup> In Balthasar's defence it can be noted that Häring also refuses to admit 'the idea that there are two moralities'. Häring attributes this to the critique of Catholic moral theology by 'our separated brethren' (i.e. protestant theologians). Like Balthasar, Häring accepts that the existence of a dual morality would be highly problematic. Häring, *Road to Renewal*, 18-19.

<sup>135</sup> Balthasar, TS, 84. GO *Die Wahrheit ist symphonisch*, 73.

(iii) *Balthasar's disagreement with the 'Christian moral knowledge' research programme (1972-1974)*

Balthasar's disagreement with the ITC's 'Christian moral knowledge' research programme arises from his experimental proposal in TS that the Mystery of Christ is the criterion of Christian and non-Christian ethics, as well as the criterion of true and false doctrinal pluralism. We have already seen in the first section of this chapter that Balthasar played an active role in the discussions of the ITC up to 1972. We propose that the primary reason that Balthasar drafted the *Nine Propositions* in 1974 was to repair the work of the commission on moral theology. The purpose of this section is to trace the development of the ITC's research programme on 'the criteria for Christian moral knowledge' from its beginning in 1969 in order to show how it is inconsistent with Balthasar's proposal. Balthasar indicates his counter-proposal in TS and then drafts the *Nine Propositions* to try to convince his fellow commission members in 1974.

The ITC first decided to pursue research into 'the criteria for Christian moral knowledge' at its 1969 assembly. As with their other theological investigations, the work was delegated to a subcommission, in this case under the presidency of Delhay. The remainder of the subcommission comprised a dogmatic theologian (Lonergan), two biblical scholars (Feuillet and Schürmann) and a liturgist (Vagaggini).<sup>136</sup> By commissioning research into Christian moral knowledge, the ITC addressed itself to a serious problem facing the church. In the previous chapter we identified a number of factors pressing on the discipline of moral theology. First, moral theologians had to deal with the popular and scholarly repudiation of the neo-Scholastic manuals of moral theology. Second, the council endorsed a Christological shift in moral theology without explaining in detail what this might look like. A third pressure can then be added in 1968, namely the contradiction of the official report of the Pontifical Commission by the encyclical *Humanae vitae*. The decision of the ITC to initiate research into 'the criteria for Christian moral knowledge' eighteen months after this encyclical took the commission to the heart of the postconciliar debate regarding the future of moral theology.

The previous chapter has discussed the brief use of the concept of 'objective criteria' in GS 51 which is subsequently given great prominence in the official report of the Pontifical Commission. The use of this concept in the official report marks a major

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<sup>136</sup> The members of the subcommission are listed in Sharkey, *Texts*, Vol. I, 107n1, and have been classified on the basis of their biographies in "The Thirty Theologians" *Herder Correspondence*, 213-215.

innovation in moral theology because it merges the divine and natural law into a single set of shared criteria for human action. At the same time, the report argues that these shared criteria are highly general and uses this to invent a realm of private application which is not open to scrutiny by the leadership of the church. In continuity with this report, the ITC research programme adopts the concept of 'criteria' as a contemporary term of art for moral rules or laws. However, it also edges away from the report by insisting that these are criteria for *Christian* moral knowledge when the 'objective criteria' of the 1966 report are ambiguously natural and divine. The ITC also drops the word 'objective', indicating scepticism regarding the suitability of this kind of law for moral theology.

There is very limited information available regarding the work undertaken by the subcommission during the period 1969-1974. At one end, it is known which members were appointed to the subcommission in 1969. At the other end, there are a number of documents, and a small number of comments, which illuminate the 1974 ITC assembly at which the subcommission presented its findings. Between these points stand only the three propositions on pluralism in morals which were agreed by the ITC in 1972. This is the only window into the beliefs of the ITC on moral theology during the five year period in which the subcommission carried out its research. It is also a point at which it is possible to observe a divergence between Balthasar and his fellow commission members. For this reason we will discuss these propositions in detail before turning to the events at the ITC assembly of 1974.

The decision by the commission to comment on pluralism in morals before the Christian moral knowledge research programme had completed its work suggests that most commission members continued to believe that pluralism of moral teaching was a distinctive question from that of the criteria for Christian moral knowledge. The evidence from TS in the previous section shows that this was not Balthasar's view. The most likely origin for the 1972 propositions on moral pluralism is Delhayé or his subcommission. In the first place, these propositions take a similar approach to the paper by Heinz Schürmann which was tabled by this subcommission in 1974 as a basis for agreement by the commission. There is also a similarity of approach between the argument of propositions thirteen to fifteen and a journal article by Delhayé on the authority of Christian conscience.<sup>137</sup> Finally, Delhayé reports that he took responsibility for editing the ITC's commentary on these three propositions.<sup>138</sup>

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<sup>137</sup> Delhayé, "Conscience and Church Authority," John L. Sullivan trans., in *Louvain Studies* 2 (1968-69): 355-375. French Original: Delhayé, "Conscience et autorité ecclésiale," *La foi et le temps* (Jan-Feb 1969): 5-35.

<sup>138</sup> Delhayé et al., *Commission Théologique Internationale*, 51.

Nevertheless, our attribution of these propositions to Delhay and his subcommission remains speculative.

The three propositions on moral pluralism disclose a general sympathy on the part of the majority of the ITC for an amalgamation of neo-Scholasticism and a 'faith-ethic'. The title of the Christian moral knowledge research programme has already suggested such a tendency and the 1972 propositions on moral pluralism – which were either carried unanimously or by a 'large majority' of commission members – conform to this tendency.<sup>139</sup> As such, the commission will have been unsympathetic to the so-called Autonomous ethics evident in the work of Auer.<sup>140</sup> Balthasar probably shared the ITC's scepticism regarding autonomism, but his argument in TS shows that he was also dissatisfied with any faith-ethic that is put forward in terms of a plurality of rules (or criteria). There is only one criterion for Balthasar, namely, the Mystery of Christ.

Having set them in context as far as possible, we will now interpret the three propositions on moral pluralism agreed by the commission in 1972. Consistent with their being drafted by a single theologian, or small group of theologians, they form a carefully structured unit: proposition thirteen treats moral pluralism and moral unity in general, proposition fourteen treats the unity of Christian morality and proposition fifteen treats pluralism in Christian morality:

#### *Pluralism and Unity in Morals*

13. Pluralism in morals appears first of all in the application of general principles to concrete circumstances, and it is accentuated when contacts occur between cultures that were ignorant of one another or as a result of rapid changes in society.

A fundamental unity is manifested, however, in a common esteem for human dignity, carrying with it imperatives [*normas imperitivas*] for the conduct of human life.

The conscience of every man expresses a certain number of fundamental demands (cf. Rom 2:14), which have been recognized in our times by public expressions of the essential human rights.<sup>141</sup>

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<sup>139</sup> Delhay et al., *Commission Théologique Internationale*, 51.

<sup>140</sup> Autonomous ethics is not subject to detailed analysis in this thesis. The distinction between the faith-ethic and Autonomous ethics, which continues to be used in the English language secondary literature, appears to have been drawn first by Auer in *Autonome Moral und christlicher Glaube* (Düsseldorf: Patmos-Verlag, 1971).

<sup>141</sup> Sharkey, *Texts*, Vol. I, 93. All emendations to these propositions have been made by comparison to the official Latin text which is available on the website of the holy See:



As has already been noted, the first eight propositions from this series address themselves to the question of pluralism in Christian doctrine. This is in keeping with the object of Ratzinger's subcommission, namely unity and pluralism in Christian faith. However, the discussion of pluralism in morals begins with a proposition addressed to moral pluralism in general (i.e. independently of the Christian faith). In doing so, it retains the traditional neo-Scholastic assumption that there is a natural morality which is shared by the whole of humankind and which is repeated in Christian morality.

The three sections of this proposition are difficult to interpret together. The first is definitely related to the topic of pluralism in natural human morals and the second and third set out the unity of natural morals. This mirrors the relationship between propositions fourteen and fifteen which treat the unity and plurality of Christian morality respectively. The first section also identifies three factors which together "explain" the phenomenon of moral pluralism. The second two of these factors imply that pluralism is a temporary phenomenon which will be resolved once changes in society have been normalised and once different cultures have become more familiar with one another. This is an account in which pluralism in morals is a temporary deviation from set of natural moral norms.

The initial reference to 'the application of general principles to concrete circumstances' differs from the other two factors because it is a kind of pluralism that is permanent. It would appear to repeat the argument of the 1966 official report of the Pontifical Commission to the extent that 'general principles' are communally recognised and agreed, but their application by individuals in their diverse circumstances generates a legitimate pluralism of practice. This means that, whilst instances of pluralism between groups are temporary (differences between cultures and within a society), pluralism has a permanent place in the practice of individuals. This endorsement of this aspect of the official report is a surprise given the ITC's scepticism regarding the reports use of the term objective in 'objective criteria'.

In drafting this proposition, the ITC also adjudicate between the two readings of GS 16 which we set out in the second section of the previous chapter.<sup>142</sup> This council text uses the term conscience to refer to the consciousness of the individual and offers two accounts of the moral "factor" which is contained within it. In this

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[www.vatican.va/roman\\_curia/congregations/cfaith/cti\\_documents/rc\\_cti\\_1972\\_fede-pluralismo\\_lt.html](http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_1972_fede-pluralismo_lt.html) (Last accessed: 29 December 2015).

<sup>142</sup> Our claim that the ITC is interpreting GS 16 in this proposition is supported by the reference to Rom 2:14 which is also quoted in the council text.

proposition, the ITC interpret this factor as a set of laws rather than the voice of God. Moreover, in the third section of proposition thirteen, the ITC also identifies these laws (or, GS 16, 'objective norms of morality'). According to the ITC the 'fundamental demands' of conscience had recently been defined, with some approximation, in 'public expressions of the essential human rights.' Thus, the ITC interprets GS 16 in terms of a natural law morality in which all of humanity shares a set of fundamental laws. Any claim not to recognise these norms is merely temporary, and will be resolved by a more diligent investigation of conscience. However, there will always be some diversity in the application of these norms by individuals in their various circumstances.

The final comment on proposition thirteen, then, is to interpret the account of the 'fundamental unity' of morality given in the second section. This attributes unity not to a list of shared moral demands, located in conscience, but to a 'common esteem for human dignity'. At one level, the inconsistency between this single criterion and the multiple demands of conscience might be put down to the desire of the ITC to harmonise their interpretation of GS 16 with the declaration on religious freedom (*Dignitatis humanae*). There may, however, be a little more to it. The reference to 'imperative norms' ties the argument of the proposition together. The 'general principles' of the first section are the same as the 'imperative norms' of the second section and the 'fundamental demands' of the third. On this reading, all the sections agree that there is a fundamental unity in human morality grounded in what GS 16 calls the 'objective norms of morality'. However, the 'common esteem' hints at an alternative basis of unity which Balthasar develops in the *Nine Propositions*. It is even possible that Balthasar was responsible for inserting this reference into the proposition. The unity of humanity in a 'common esteem' is open to an interpretation along the lines of Hegel's reconciliation of the world in 'love' or Balthasar's reconciliation of the world in the Mystery of Christ. However, in the absence of a detailed account of the drafting of these propositions the suggestion that Balthasar contributed at this point must remain highly speculative.

14. The unity of Christian morality is based on unchanging principles, contained in the Scriptures, clarified by Tradition, presented to each generation by the Magisterium. Let us recall the principal emphases: the teaching and example of the Son of God revealing the heart of his Father; conformity to his death and his Resurrection; life in the Spirit in the bosom of

the Church, in faith, hope, and charity, so that we may be renewed according to the image of God.<sup>143</sup>

This proposition turns from natural human morality to consider Christian morality. It is also the proposition which most obviously diverges from Balthasar's account of the 'criterion' in TS. The question is: what is the basis for the unity of Christian morality? According to Balthasar, the unity of theology is the entire Mystery of Christ, and it is a grave error to claim to be able to fully grasp this principle. Proposition seven in this series of propositions from the ITC offers a variant on Balthasar's argument when it characterises the criterion as the whole of the church's 'normative pronouncements'. In this fourteenth proposition, however, the unity of Christian morality is a set of 'unchanging principles, contained in the Scriptures'. This makes exactly the error which Balthasar identifies in TS, namely, claiming that the principle can be identified. It also shows a movement away from 'criteria' in the 1969 research programme back towards the 'objective criteria' of the 1966 report. What else is 'unchanging' meant to imply?

It is possible that Balthasar contributed to the second half of this proposition as the list closely parallels his argument in TS. In particular, the list of 'unchanging principles' reads more like a list of virtues than of laws or criteria. They also mark a reversal of the neo-Scholastic norm, in that, as a summary of Christian moral principles they are less specific than the general human morality listed in the previous proposition (human rights).

15. The necessary unity of faith and communion does not hinder a diversity of vocations and of personal preferences in the manner of coming to terms with the mystery of Christ and of life.

Christian liberty (Gal 5:1&13), far from implying a limitless pluralism, demands a struggle toward totally objective truth no less than patience with less robust consciences (cf. Rom 14:15; 1 Cor 8).

Respect for the autonomy of human values and legitimate responsibilities in this area carries with it the possibility of a variety of analyses and options on temporal matters for Christians. This variety is compatible with total obedience and love (cf. *Gaudium et Spes* 43).<sup>144</sup>

The final proposition turns to the particular question facing the commission in 1972 and gives an account of pluralism in Christian morality. In contrast to the natural human morality discussed in proposition thirteen, this proposition only envisages a

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<sup>143</sup> Sharkey, *Texts*, Vol. I, 93.

<sup>144</sup> Sharkey, *Texts*, Vol. I, 93-94.

single source of Christian pluralism, namely, the different ways in which the unchanging principles of Christian morality might be applied by particular individuals.

The second section of the proposition continues a trend that is evident in propositions one to eight, and in Balthasar's TS, by prioritising unity over pluralism. In particular, the proclamation of the freedom of the Christian is constrained by the Christian commitment to truth. In the light of the reference to the 'mystery of Christ' in the first section of the proposition, the 'truth' referred to might simply be Jesus Christ (cf. Jn. 14:6) and then the proposition would be claiming that Christians are unified in their attempt to 'put on Christ' (Gal 3:27 cf. Rom 13:14). The only difficulty with this interpretation is that it is not entirely clear how the existential 'struggle' for truth relates to the gift of faith in Jesus Christ.

The third section of the proposition is the most interesting because it addresses itself to the problem of the relationship between a shared and detailed human morality (human rights: proposition thirteen) and a vaguer Christian morality (proposition fourteen). As has already been noted, this is an innovation on the neo-Scholastic legacy to the extent that the Christian morality is less detailed than the natural human morality that it is said to repeat. What happens if an unchanging principle of Christian morality and a widely influential interpretation of human rights conflict with one another? (By the mid-twentieth century it is evidently impossible for moral theologians or the pope simply to select the philosophical account of the natural that they find most conducive to Christian morality.)

In response to this problem, the ITC hints that pluralism in 'temporal matters' can coincide with a 'total' conformity to general Christian criteria such as 'obedience' and 'love'. In doing so, the proposition would seem to be appealing to the suggestion in GS 43 '[l]et Christians ...be proud of the opportunity to carry out their earthly activity in such a way as to integrate human, domestic, professional, scientific and technical enterprises with religious values, under whose supreme direction all things are ordered to the glory of God.'<sup>145</sup> Further analysis of this reference requires a more detailed interpretation of GS than has been offered in the previous chapter.

The basic divergence between Balthasar's argument in TS and the propositions on moral pluralism agreed by the ITC in 1972 is the latter's claim that Christians and human beings are unified on a set of rules. Balthasar's approach can be interpreted in the light of Hegel's SCF. Specifically, Balthasar maintains that human beings are

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<sup>145</sup> GS 43. Flannery, *Conciliar Documents*, 943.

reconciled on a single principle. Where Balthasar considers this principle to be the Mystery of Christ, Hegel takes it to be nonpersonal living beauty.<sup>146</sup> On this point, the ITC stand in continuity with the neo-Scholastic manuals in treating law as a suitable basis for reconciliation (with God and with one another). Having identified this difference, the chapter will conclude by introducing the ITC's plenary assembly on moral theology in 1974. This is the assembly at which Balthasar tables the *Nine Propositions* in order to repair the 1972 propositions and (ambitiously) to redirect the debate in the church on the future of moral theology.

There remains uncertainty regarding the title of the ITC's 1974 assembly. Some years after the gathering, Delhayé identifies the title of the discussion as 'Christian morality and norms'.<sup>147</sup> However, there are other conflicting sources: the title of the 1969 work programme is 'the criteria for Christian moral knowledge'; in his address to the commission in 1974, Paul VI gives the 1969 research programme the title 'the sources of Christian moral knowledge'; and Ratzinger summarises the gathering in 1975 as debating 'the question of the content and ground of the Christian ethos'.<sup>148</sup> This uncertainty is further exacerbated by Delhayé's retrospective account of the work of the subcommission which 'had carried on its research in a number of different directions: the use of Holy Scripture in Christian ethics; the teaching of the Magisterium (this point will be studied in a broader context in 1975); the criteria for the *actus honestus*; the meaning of Christian ethics; the use of the human sciences.'<sup>149</sup> Despite the uncertain title, it is possible to match Delhayé's list with the work that was completed.

As the president of the Christian moral knowledge subcommission, Delhayé was responsible for preparing for the discussion at the 1974 assembly. Delhayé appears to have adopted what Yves Congar has described elsewhere as 'a method of

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<sup>146</sup> Hegel, SCF, 301.

<sup>147</sup> Delhayé et al., *Commission Théologique Internationale*, 85.

<sup>148</sup> (1) see note 67 above; (2) '*fontes cognitionis moralis christianae*' as translated in Paul VI, "The Norms for a Christian Moral Conscience" *The Pope Speaks* 19.4 (1975), 333 (for the Latin text see AAS 67 (1975): 40, or the website of the holy See under speeches of Paul VI. This speech is probably also the source of Hebblethwaite's information in *Paul VI*, 632 and 635. Note, however, that Hebblethwaite mistakenly renders this title as 'the origins' or 'the sources of the Christian moral conscience'. As noted above, '*cognitionis*' should be translated 'knowledge'); (3) Ratzinger et al. "Preface" in *Principles of Christian Morality*, 7. The language of the preface suggests that it was drafted by Ratzinger. He is also given as the sole editor of the collection in the German original.

<sup>149</sup> Delhayé quoted in Sharkey, *Texts*, Vol. I, 107. The future tense used in the parenthetical phrase suggests that this text was drafted between the ITC assemblies of 1974 and 1975, probably in French. Sharkey reprints the English translation by Leo Elders and Kenneth Baker: "Nine Theses in Christian Ethics" *Homiletic & Pastoral Review* (Feb 1976): 9-22.

accumulation.’<sup>150</sup> This included the commissioning of a large number of papers from non-members of the ITC which were included in a dossier circulated to commission members in advance of the 1974 assembly. Whilst it is possible to identify a number of the papers which were included in this dossier, a full list of the contents never appears to have been published. This means that it is unclear whether the propositions by Schürmann or Balthasar were circulated to commission members in advance. Nor is it possible to say when the dossier was circulated, or whether Balthasar was provoked to compose the *Nine Propositions* in response to what he read in the dossier (e.g. Schürmann’s four propositions?).<sup>151</sup> Whilst these are interesting historical questions, they do not have a great bearing on the interpretation of the *Nine Propositions* because the divergence between Balthasar and the majority of the commission is already apparent in 1972.<sup>152</sup> What the various fragmentary accounts of the dossier allow is an interpretation of Delhayé’s list of the topics investigated by, or on behalf of, the subcommission. Of these, Delhayé tells us that the work on ‘the teaching of the Magisterium’ was postponed for discussion in 1975. Second, most of the work on ‘the use of the human sciences’ was undertaken by theological advisors to the subcommission and published in *Studia Moralia*.<sup>153</sup> Third, Delhayé describes Balthasar’s *Nine Propositions* as addressing ‘the fundamental principles and meaning of Christian ethics’.<sup>154</sup> The reference to ‘fundamental principles’ is misleading as a summary of the *Nine Propositions*, but might have been influenced by the title of the collection in which Balthasar’s text was first published: *Principles of Christian Morality*.<sup>155</sup> Moreover, the absence of comparable studies means that Delhayé’s reference to research into the ‘meaning of Christian ethics’ is probably a (retrospective) attempt to include Balthasar’s text within the work of the subcommission. This leaves only the ‘criteria for the *actus honestus*’ – which alludes to the initial 1969 research question – and ‘the use of Holy Scripture in Christian ethics’ on Delhayé’s list of investigated topics. These are linked in

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<sup>150</sup> In reference to the preparations for GS, Congar explains that: ‘...in my opinion, they used to excess a method of accumulation’ in “Journal of Y. Congar,” 13 September 1965, II, 386-387, cited in *History*, Vol. V, 40n96.

<sup>151</sup> The existence of the dossier is confirmed by footnotes in the articles published in the *Gregorianum* (note 142 below) and by the pope, who acknowledges receipt of the dossier in his 1974 address. Paul VI, “The Norms for a Christian Moral Conscience” *The Pope Speaks* 19.4 (1975): 333.

<sup>152</sup> In addition to the events at the 1972 assembly, Balthasar will have been able to gain insight into the views of the subcommission by reading Schürmann’s paper in the *Theologisches Jahrbuch* of 1973: Schürmann, “Die Gemeinde des Neuen Bundes als der Quellort des sittlichen Erkennens nach Paulus” *Theologisches Jahrbuch* 1973, 217-237.

<sup>153</sup> Eight studies published in *Studia Moralia* (1974): 9-256. Delhayé summarises them in Sharkey, *Texts*, Vol. I, 107n2.

<sup>154</sup> Sharkey, *Texts*, Vol. I, 107.

<sup>155</sup> Ratzinger ed., *Prinzipien Christlicher Moral* (Einsiedeln: Johannes Verlag, 1975).

proposition fourteen from 1972 (which refers to ‘unchanging principles’ which are ‘contained in the Scriptures’) and probably formed the basis of Delhayé’s presentation to the full commission.<sup>156</sup> In particular, Delhayé commissioned a study of morality in the Old Testament from advisors to the ITC, and a study of morality in the New Testament was drawn up by Schürmann.<sup>157</sup> When the time came for Delhayé to present his research to the commission he appears to have circulated the dossier, and asked Schürmann to produce a set of propositions. The result is that the commission was asked to agree a set of four short propositions which are included within Schürmann’s research into the moral teaching of the New Testament.

Before analysing Schürmann’s summary paper, with its four propositions, it is worth noting the initial contribution that was made to the proceedings of the 1974 assembly by Paul VI. We need not assume that the presence of the pope is simply due to the importance that moral theology had taken in the wake of *Humanae vitae*. The 1974 assembly was also the first gathering of the commission’s second term and, a few months previously, the pope replaced more than half of the original members.<sup>158</sup> Thus, it is possible that Paul VI wished to meet the new commission in person in order to underline his commitment to the work that was being done (and possibly to strengthen the position or profile of the ITC). Nevertheless, a few of the new members were moral theologians and, for the first and last time, the pope chose to address the commission on the topic that was under discussion at that particular assembly. This lends credence to Hebblethwaite’s suggestion that Paul VI was looking to the commission for help on a topic which had caused him considerable difficulty.<sup>159</sup> As the pope noted: ‘[n]o one can be unaware that the Christian science of morality is the subject of controversy, even as regards its principles.’<sup>160</sup>

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<sup>156</sup> Sharkey, *Texts*, Vol. I, 93.

<sup>157</sup> The studies of morality in the Old Testament were published in R. P Gilbert, J. L’Hour and J. Scharbert, *Morale et Ancien Testament* (Louvain-la-Neuve, 1976). Schürmann’s lengthy study of morality in the Pauline letters is summarised in *Gregorianum* 56.2 (1975): 237-269. In the same part there is also an article by Edouard Hamel, “La Théologie morale entre L’Écriture et la raison,” 273-319. There are notes on both of these *Gregorianum* articles to the effect that they were included in the 1974 ITC dossier.

<sup>158</sup> Delhayé et al. report that the new composition was published in *L’Osservatore Romano* on 21 August 1974 (*Commission Théologique Internationale*, 130). Of the two moral theologians from the first period only Delhayé was reappointed. Newly appointed moral theologians included Edouard Hamel and John Mahoney.

<sup>159</sup> Hebblethwaite, *Paul VI*, 635.

<sup>160</sup> Paul VI, “The Norms,” 334.

In the middle of the pope's address stands a quotation from the nineteenth century lay Catholic Alessandro Manzoni.<sup>161</sup> This quotation offers a textbook account of the neo-Scholastic relation of nature and grace, with perhaps a slightly greater emphasis on the significance of Jesus Christ. On the one hand, humankind has a 'natural knowledge' of 'the moral law' which 'is imperfect, changeable and obscure in many respects...'. On the other hand, 'Jesus Christ wanted to build up and restructure [this knowledge]...', which task he discharged with the help of '...a few principles which He called eternal and infallible, unique and universal.'<sup>162</sup> This account forms the basis of the pope's remarks and places him in substantial sympathy with proposition fourteen of 1972: '[t]he unity of Christian morality is based on unchanging principles, contained in the Scriptures, clarified by Tradition, presented to each generation by the Magisterium.' In the course of his address the pope also sides with those who insist on the specificity of Christian morality when he observes that 'revelation presents us with a specific [*proprium*] and clearly defined way of life which the Church's magisterium authentically interprets and applies to ever new circumstances.'<sup>163</sup> In this way, the pope affirms the decision of the ITC in 1972 to avoid using the 'objective criteria' of the 1966 official report, but to try to identify specifically Christian criteria on the basis of the Scriptures. This address was delivered just before Balthasar introduces the *Nine Propositions* which seek to reopen the 1972 discussion.

Where, perhaps, the pope can be said to differ from the ITC propositions of 1972 is in his description of non-Christian morality. The pope does not appear to share the view of the majority of the commission that humankind can discern fundamental moral truths (equated by the ITC with human rights) on the basis of conscience. Rather, as was noted above, the pope presents morality independent of Christianity as 'imperfect, changeable and obscure'. On this point Balthasar will have been sympathetic to the pope. Indeed, Balthasar will also have been sympathetic to the way in which Manzoni grounds Catholic moral theology in the work of Jesus Christ. This moves in the direction of Balthasar's identification of the Mystery of Christ as a criterion. However, Manzoni also refers to 'the moral law' as if it exists apart from Christ, and the pope offers variations on this theme when he refers to the 'eternal and infallible' principles of Christian morality and to 'the very principles of the objective

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<sup>161</sup> Hebblethwaite reports that he was one of the pope's favourite authors: *Paul VI*, 277 cf. 37. However, Hebblethwaite's judgment that the theologians on the ITC will have found the quotation 'puzzling' underestimates the pope's audience.

<sup>162</sup> Paul VI, "The Norms," 335.

<sup>163</sup> Paul VI, "The Norms," 334.



moral order'.<sup>164</sup> Indeed, the pope remains some distance from Balthasar's account of Christ as the criterion when his remarks contrast the objectivity of moral principles (each of which is both Christian and of the natural order) with the 'subjective conscience'.<sup>165</sup>

The pope offered the ITC a fairly conventional account of moral theology. The pope challenges the claim implicit in Fuchs' ethical proposal and the 1972 ITC propositions that natural law is fairly easy to discern. However, the pope places Christ at the heart of Christian morality where the neo-Scholastic manualists tended to start from the Old Testament law. Thus, the pope offers a kind of faith-ethic. However, it may not have been attractive to Balthasar because it continues to maintain that Christians can be reconciled on the basis of certain unchanging principles. A theme that was then taken up at the 1974 assembly in Schürmann's four propositions which are the conclusions of the research undertaken by Delhaye's subcommission.

Schürmann's paper appears to have been written with the 1969 research title in mind as it addresses itself to the 'obligatory character' of New Testament norms.<sup>166</sup> However, considerable care needs to be taken when approaching Schürmann's paper because there are at least two different versions. This problem is exacerbated by the suggestion in the preface to *Principles of Christian Morality* that the collection contains two texts which were presented to the ITC at its 1974 assembly.<sup>167</sup> In fact, the version of Schürmann's paper published in this collection has been heavily revised in light of the discussions at the 1974 assembly. The original version of Schürmann's paper, which was discussed by the ITC in 1974, is available online and in the collection edited by Sharkey.<sup>168</sup>

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<sup>164</sup> Paul VI, "The Norms," 334 and 335. Paul VI draws his reference to 'the objective moral order' from *Dignitatis humanae* paragraph seven (Flannery, *Conciliar Documents*, 805.)

<sup>165</sup> Paul VI, "The Norms," 335.

<sup>166</sup> Heinz Schürmann, "The Question of the Obligatory Character of the Value Judgements and Moral Directives of the New Testament," in Sharkey, *Texts*, Vol. I, 125-132; a revised version was published as "How Normative are the Values and Precepts of the New Testament?" in *Principles of Christian Morality* (San Francisco: Ignatius, 1986): 9-44.

<sup>167</sup> Josef Ratzinger with Heinz Schürmann and Balthasar, *Prinzipien Christlicher Moral* (Einsiedeln: Johannes, 1975): 7. ET *Principles of Christian Morality* (San Francisco: Ignatius, 1986): 7.

<sup>168</sup> The text is available towards the bottom of the following internet page on the website of the Holy See: [www.vatican.va/roman\\_curia/congregations/cfaith/cti\\_documents/rc\\_cti\\_1974\\_morale-cristiana\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_1974_morale-cristiana_en.html) (Last accessed: 29 December 2015). This text is identical to that available in Sharkey's collection (*Texts*, Vol. I, 125-132) and both make at least three errors when compared to the Latin original (also available online): (i) the word "not" should be deleted from the first sentence of paragraph two; (ii) the biblical references in paragraph three are two pairs of verses from 1 Cor 7: vs.10 and 25/ vs.12 and 40; (iii) the first and fifth of the internal references in paragraph twelve – which should be read "section; thesis; paragraph" – should read II and III, 4, b, bb.

Schürmann's text is very difficult to summarise. In keeping with the priorities of 1969, but against the compromise of 1972, Schürmann is concerned to find law-like criteria for moral theology in the New Testament.<sup>169</sup> Schürmann avoids any reference to *objective* criteria, but, like Fuchs in the 1966 official report, wishes to minimise any suggestion of moral laxity. For Schürmann, this means asserting that most New Testament teachings are eschatologically conditioned.<sup>170</sup> Indeed, Schürmann produces a complex system of classification in order to determine which teachings are conditioned historically, which are conditioned eschatologically and which are some combination of the two. He summarises the result in the following four propositions:

1. The conduct [*Vita ratio*] of Jesus is the example and the criterion of a love which serves and gives itself.
2. The word of Jesus is the ultimate moral norm [*norma*].
3. Certain value judgments and certain norms [*normae*] are permanent by reason of their theological and eschatological foundations.
4. Particular value judgments and norms [*normae*] imply a diversity of obligations.<sup>171</sup>

In the first proposition Schürmann observes that the physical existence of Jesus must be as relevant to his revelatory character as any teaching. This is followed, in the second, with the observation that the teachings of Jesus – in which Jesus explains his deeds – are the ‘ultimate’ moral norm. In both the Latin and the German versions of the text the word ultimate has a connotation of the ‘final’ or ‘last’ word on the matter. This implies a kind of graduated approach in which the closer that a moral teaching gets to the lips of Jesus Christ, the more authoritative and obligatory it is (as if it is more divine). However, Schürmann adds a pneumatological qualification to this account when he also cites two points in the New Testament when Paul repeats a saying of Jesus and urges Christians to obey the intention, rather than the letter, of the teaching (1 Cor 9:14; 7:12-16).<sup>172</sup> Schürmann goes on to add that ‘it must not be forgotten that the Spirit of truth, especially with regard to moral knowledge

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The claim that the Latin text is the original version is based upon the French edition of the ITC texts in which Delhaye assures his readers that Schürmann's paper is printed in its ‘forme primitive approuvée in genere par la [ITC]’: *Commission Théologique Internationale*, 86. The French text appears to be a direct translation from the Latin text. Finally, the German text available online is also unreliable as a translation of the original Latin text. For example, the third and fourth theses appear to have been lifted from the later *Prinzipien Christlicher Moral* version.

<sup>169</sup> Sharkey, *Texts*, Vol. I, 132.

<sup>170</sup> For Schürmann eschatologically conditioned means unchangeable.

<sup>171</sup> Sharkey, *Texts*, Vol. I, 127, 128, 129 and 129. The word ‘norms’ has been inserted into propositions three and four in place of ‘directives’. This reflects the Latin text which refers in both propositions to ‘*valoris iudicia et normae*’.

<sup>172</sup> Sharkey, *Texts*, Vol. I, 128. [para 6b]

[*cognitionem*], “will guide you into all the truth” (Jn 16:13),<sup>173</sup> This pneumatological qualification appears to serve two purposes: first it offers a guard against what Schürmann later calls ‘biblicist’ [*biblicistico*] thinking by insisting that it is not merely the literal text which is morally significant.<sup>174</sup> Second, it provides a divine ground for those moral teachings of the New Testament which cannot be directly attributed to Jesus. Thus, Schürmann claims that the apostolic church was ‘marked in an exceptional manner by the Spirit of the Glorified Lord’.<sup>175</sup>

Propositions three and four summarise Schürmann’s division of those New Testament moral teachings which are not directly attributable to Jesus Christ into three categories. The first category, which is covered by proposition three, contains those moral teachings which encourage the total love of God. These teachings are ‘unconditionally founded on the eschatological reality of salvation’.<sup>176</sup> The second and third categories, then, are all the moral teachings which relate to action and are covered by proposition four. (The ‘diversity of obligations’ refers to the difference between these two categories.) The second category includes the command to love one’s neighbour, lists of virtues and vices, even ‘spiritual norms ...formulated in very concrete terms’.<sup>177</sup> These are all conditioned both historically and eschatologically and thus sometimes need to be read in ‘a modified or analagous manner’.<sup>178</sup> The third category then contains teachings which are purely historically conditioned and which can no longer be considered to be valid. Schürmann only gives one example, but argues that this is enough to establish the category. Specifically, Schürmann argues that the New Testament subordination of women no longer applies since ‘the Holy Spirit has led contemporary Christianity, together with the modern world, to a greater intelligence about the moral requirements of the person’.<sup>179</sup>

It is possible to make a number of theological criticisms of Schürmann’s scheme. This analysis will restrict itself to the problem of eschatological and historical conditioning. Schürmann works on the basis that the New Testament must be divided between these two kinds of conditioning, whilst admitting that there are a large number of teachings which appear to have a dual conditioning. At one point, Schürmann even refers to the “incarnation” of the commandment of love in ‘special

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<sup>173</sup> Sharkey, *Texts*, Vol. I, 128. [7]

<sup>174</sup> Sharkey, *Texts*, Vol. I, 132. [12]

<sup>175</sup> Sharkey, *Texts*, Vol. I, 126 cf. 128. [3 cf.7]

<sup>176</sup> Sharkey, *Texts*, Vol. I, 129. [10]

<sup>177</sup> Sharkey, *Texts*, Vol. I, 129, 130 and 130. [11,a; 11,b; 11,b,aa]

<sup>178</sup> Sharkey, *Texts*, Vol. I, 130. [11,b,aa]

<sup>179</sup> Sharkey, *Texts*, Vol. I, 131. [11,b,bb]

concrete directives.<sup>180</sup> However, the discussion of LG and of Fuchs in the previous chapter referred to the logic of Chalcedon which refuses to mix or separate the divine and human natures of Jesus Christ. Unfortunately, Schürmann's classification of New Testament moral teachings appears to involve both mixing and separating. At the two extremes, the moral teachings which are purely grounded in history or unconditionally grounded in eschatology participate in the separation of divine (eschatological) and human (historical). In between these extremes, the moral teachings which are both eschatologically and historically conditioned participate in the mixing of divine and human in different degrees. This renders the classification unpersuasive.

It is worth repeating that Schürmann's paper faithfully attempts to locate 'criteria for Christian moral knowledge' as requested by the 1969 communiqué. However, the experience of the 1974 meeting led him to heavily revise the paper before consenting to publication in a small volume edited by Ratzinger. The other papers in the collection were Balthasar's *Nine Propositions* and an essay by Ratzinger which had been published in *L'Osservatore Romano* shortly before the ITC's 1974 assembly. In a note at the start of his contribution, Schürmann explains that his text has been 'slightly improved stylistically' and that he had 'learned from some of the contributions to the discussion and some of the solutions proposed.'<sup>181</sup> This underreports the extent of his revisions and suggests that he did not expect the text discussed at the ITC meeting to be made public. (Sharkey does not explain from where his translation originates, but it is clear that he had access to the Latin text which is presently available on the website of the holy See.<sup>182</sup>)

The changes which Schürmann made to his paper before publication provide one of the few pieces of evidence regarding the discussion at the 1974 meeting of the ITC. The most direct account is provided by Delhay. In his preface to the French translation of the *Nine Propositions*, he explains that: 'the members of the ITC, while they approved his [Balthasar's] text "in generic form", did not want simply to publish it in a collective report and so leave it anonymous.'<sup>183</sup> This analysis is extremely polite and, as president of the moral theology subcommission, Delhay is probably not the best witness to report on problems encountered during the meeting. Two of the obvious gaps in Delhay's account are that he provides no explanation as to how the situation arose in which two sets of propositions on the same subject were

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<sup>180</sup> Sharkey, *Texts*, Vol. I, 130. [11,a]

<sup>181</sup> Schürmann, "How Normative," 9 n1.

<sup>182</sup> For further discussion of the text of the *Nine Propositions* see the appendix.

<sup>183</sup> Sharkey, *Texts*, Vol. I, 108.

presented to the commission for agreement. Secondly, Delhayé fails to explain why both Balthasar and Schürmann drafted lists of propositions unless they wished them to be adopted as conclusions by the commission. The joint preface to Ratzinger's 1975 essay collection can be used to confirm that the outcome was not what Schürmann or Balthasar desired: '[m]any pieces of mosaic were collected on that occasion, but they could not be assembled into a whole...'<sup>184</sup>

Delhayé also reports that there was an official conclusion from the 1974 meeting comprising 'two declarations and five theses' which never appears to have been published.<sup>185</sup> Nothing more is known about this other than what can be deduced from Delhayé's report and the number of propositions and declarations does not fit neatly into the papers of either Schürmann or Balthasar. These two authors expressed disappointment regarding the outcome of the meeting in the 1975 Joint Preface, and Schürmann revised his paper in such a way as to remove the four propositions which he had proposed. This is not the action of a theologian who has just had them forwarded to the pope on behalf of the ITC.

This discussion of the 1974 assembly shows that it was not a particularly receptive gathering for Balthasar's *Nine Propositions*. A large number of commission members had just been changed, and some of the new members were moral theologians. Second, the ITC had agreed a set of propositions on moral pluralism in 1972 which Balthasar was seeking to reopen. Third, the pope delivered an address which broadly supported the ITC propositions of 1972 – which he may well have read whilst preparing his address – and this will have lessened the chances that the ITC would reopen questions which had previously been decided. The remainder of the thesis evaluates whether this represents a missed opportunity.

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<sup>184</sup> Joseph Ratzinger, Heinz Schürmann and Hans Urs von Balthasar, "Preface" in *Principles of Christian Morality*, edited by Joseph Ratzinger (San Francisco: Ignatius, 1986): 8 and 7. My emendation.

<sup>185</sup> Sharkey, *Texts*, Vol. I, 108 n3.

## Chapter 3: Reading the *Nine Propositions* – Preliminary Note and Section I

*Nine Propositions on Christian ethics* (1974)

“Preliminary Note”

*Section I. The fulfilment of ethical life [Sittlichkeit] in Christ*

- 1: Christ as the concrete norm
- 2: The universality of the concrete norm
- 3: The Christian meaning of the “golden rule”
- 4: Sin

*Section II. The Old Testament elements of the synthesis to come*

- 5: The promise (Abraham)
- 6: The law

*Section III. Fragments of extrabiblical ethics*

- 7: Conscience
- 8: The pre-biblical natural order
- 9: Post-Christian anthropological ethics<sup>1</sup>

The previous two chapters have prepared the ground for our interpretation of Balthasar’s *Nine Propositions*. The propositional form is not widely used in contemporary theology and the English translators have not provided guidance for reading the text.<sup>2</sup> The form of the text is determined by Balthasar’s intention that it would serve as a basis for agreement by the ITC at their 1974 assembly. As noted in the previous chapter, Ratzinger had only organised the production of a commentary on his 1972 propositions after they had been adopted by the commission.<sup>3</sup> The disadvantage of this procedure is that it will have been unclear who was responsible

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<sup>1</sup> All quotations from the *Nine Propositions* are based on the translation by Graham Harrison with my own emendations from the German text published in Ratzinger (1975).

<sup>2</sup> The translation of the *Nine Propositions* by Elders and Baker has also invented four subheadings which are not to be found in the original Latin or German versions of the text. See Sharkey, *Texts*, Vol. I, 109, 111, 117, 120. For a full discussion of the relationship between the Latin, German and English versions of the *Nine Propositions* see the appendix.

<sup>3</sup> Delhay et al., *Commission Théologique Internationale*, 51. The commentary appears to have been published first in German. The French version appears a few years later: Ratzinger, Nemeshegyi and Delhay, *Quinze theses sur l’unité de la foi et du pluralisme théologique* trans. P. Renard (Chambray-lès-Tours: CLD, 1978).

for drafting this commentary and what kind of authority it carried. Thus, when Balthasar decided to draft a text on Christian ethics for the 1974 assembly he also drafted short sections of commentary which he circulated alongside his nine propositions. By providing this commentary, Balthasar is helping the commission to evaluate his text and ensuring that the commission is aware of the interpretation which will be placed on the propositions in the event that they are agreed.

No doubt Balthasar would have been delighted to have his entire text – propositions and commentary – formally adopted. However, the size of the commission and their support for a faith-ethic of ‘unchanging principles’ in 1972 rendered that outcome unlikely.<sup>4</sup> It is much more likely that Balthasar was aiming for an outcome similar to that of 1972 in which his propositions were agreed by the ITC and his commentary was published alongside them under his own name. This is exactly what happened the year after the *Nine Propositions* when Otto Semmelroth and Karl Lehmann steered twelve propositions through the commission with the title ‘Theses on the relationship between the ecclesiastical magisterium and theology’. These propositions are accompanied by detailed commentary which is published under their own names.<sup>5</sup>

On the basis of these considerations, we read the *Nine Propositions* assuming that Balthasar’s primary argument is included in the text of the propositions themselves and that these stand independently from the commentary. In this chapter and the next, therefore, we provide an interpretation of the nine individual propositions and only refer to the accompanying commentary (which we call ‘explanatory paragraphs’) to the extent that they cast light on these propositions. The exception to this procedure is a lengthy interpretation of the Preliminary Note in the first half of this chapter. In this note, Balthasar seeks to persuade his fellow commission members, and later his readers, that his propositions discharge the task of perfecting moral theology as requested by the council in OT 16.

(i) Balthasar’s “Preliminary Note”

Balthasar’s decision to submit the *Nine Propositions* for discussion at the 1974 assembly is an unusual event in the history of the ITC as his paper enters into direct competition with the work of the relevant subcommission (the paper by Schürmann considered at the end of the previous chapter). There can be little doubt that Balthasar defended his text by arguing that his *Nine Propositions* better discharges

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<sup>4</sup> ITC Proposition fourteen, 1972. Sharkey, *Texts*, Vol. I, 93.

<sup>5</sup> Sharkey, *Texts*, Vol. I, 133-148.

the task set by the council in OT 16 of perfecting moral theology. One source for this claim is the changes that Schürmann made to his paper between the 1974 ITC assembly and its 1975 publication.<sup>6</sup> The version of Schürmann's paper which was tabled for discussion in 1974 only refers to the constitutions on the sacred liturgy (*Sacrosanctum concilium*) and on divine revelation (*Dei verbum*).<sup>7</sup> However, the heavily revised version of Schürmann's paper that is published in 1975 includes six further references to the council, three of which are to OT 16.<sup>8</sup> This suggests that the legacy of the council was a major point of discussion at the 1974 assembly and that Schürmann was either criticised for not attending to OT 16, or was persuaded by Balthasar that such attention was warranted.

A second source for this claim, then, is the fact that Balthasar structures the first two paragraphs of his preliminary note around the instruction in OT 16 that 'the other theological subjects should be renewed through a more vivid contact with the Mystery of Christ and the history of salvation.'<sup>9</sup> Balthasar's first paragraph indicates that the Mystery of Christ is central to the argument of the *Nine Propositions* and the second paragraph indicates that the *Nine Propositions* is structured according to salvation-history. The *Nine Propositions* is not a list, such as the 1972 ITC propositions on unity and pluralism, but a history of ethics distributed over three sections.<sup>10</sup>

Balthasar's implicit claim that the *Nine Propositions* fulfils the instructions of OT 16 more fully than either Schürmann, or the experimental proposal of Fuchs discussed in the first chapter, has considerable merit. This is due primarily to Balthasar's treatment of law in Christian ethics. To take the example of Fuchs, it is noted in the first chapter that the official report of the Pontifical Commission privileges GS 51 over OT 16. Fuchs and his co-authors draw on the apparent references to natural law

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<sup>6</sup> As noted in the previous chapter, Schürmann's paper was presented to the ITC on behalf of Delhay's Christian moral knowledge research programme. It was published by Ratzinger alongside the *Nine Propositions* in a small essay collection: *Prinzipien Christlicher Moral* (Einsiedeln: Johannes Verlag, 1975): 9-39. ET "How Normative are the Values and Precepts of the New Testament? A Sketch," in *Principles of Christian Morality*, edited by Joseph Ratzinger, 9-44. San Francisco: Ignatius, 1986.

<sup>7</sup> Schürmann, "The Question of the Obligatory Character of the Value Judgements and Moral Directives of the New Testament" in Sharkey, *Texts*, Vol. I, 125-126.

<sup>8</sup> Schürmann, "How Normative," 12-13.

<sup>9</sup> OT 16. Flannery, *Conciliar Documents*, 720. The full quotation can be found in chapter one page 21.

<sup>10</sup> Our characterisation of the first two paragraphs of the preliminary note is supported by a sentence found at the end of the third paragraph of the preliminary note in the Latin version of the *Nine Propositions*: 'We only wanted to consider Christian ethics as it comes forth from and depends on the mystery of Christ, which is the centre of the history of salvation as well as of the history of man' (translation by Elders and Baker in Sharkey, *Texts*, Vol. I, 110). This sentence does not exist in the German version or in Harrison's English language translation.



in GS 51 when it refers to general ‘objective criteria’ which are shared by the whole of humanity. By 1968, Fuchs is also seen to argue that Christian faith in the Mystery of Christ provides greater motivation for ethical living, but does not alter the content of the natural ethical criteria. This places Fuchs in tension with Häring, acknowledged today as a prominent representative of the preconciliar Christological shift, who criticises ‘the incredible idea that the moral teaching of the New Testament does not provide any new content to natural law morality but only new motivation.’<sup>11</sup>

Balthasar’s *Nine Propositions* is able to do greater justice to OT 16 than Fuchs because it is not as concerned about the place of natural law in postconciliar moral theology. Balthasar undertakes to perfect moral theology, as the council text requires, by giving an account which derives more directly from the gospel (i.e. the Mystery of Christ). Fuchs is held back from this by his additional desire to maintain a prominent place for natural law within postconciliar moral theology. Balthasar can also be seen to conform more effectively than Fuchs to the instruction in OT 16 that moral theology ‘draw more fully on the teaching of holy Scripture’.<sup>12</sup> By definition, natural law is drawn from a source other than scripture. The effect of Fuchs’ promotion of natural law, then, is to downplay the significance of scripture. That is to say, scripture is all about motivation and exhortation but has nothing to contribute to the natural norms of moral action. Mirroring this concern with natural law, then, is Schürmann’s faith-ethic which hunts for the apparently unchanging moral laws of the New Testament. Balthasar avoids both of these strategies and provides a more plausible interpretation of this council teaching. Rather than treat it simply as an exhortation to quote more scripture, Balthasar interprets it as a comment on the history of moral theology. It is noted in chapter one that when Häring drafted this part of the text it was intended as a comment on the neo-Scholastic moral manuals. It is also argued in section one that the manuals tended to focus on the Old Testament law and delegate the New Testament to the discipline of ascetical theology. The instruction that moral theology draw *more fully* on scripture would thus seem to be directed at the range of scriptural influence on the discipline. Balthasar fulfils this requirement by placing the Mystery of Christ at the centre of his account of postconciliar moral theology. Since the whole of scripture testifies to the Mystery of Christ, Balthasar is ensuring that the whole of scripture is included within his account of moral theology. This meets the requirement of the council and avoids the

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<sup>11</sup> This comment is cited by MacNamara. For the full reference see chapter one, footnote 115.

<sup>12</sup> OT 16. Flannery, *Conciliar Documents*, 720.

problem of identifying the moral bits of scripture, or the objective moral application of various scriptures.

The final instruction of OT 16 is that postconciliar moral theology ‘should throw light upon the exalted vocation of the faithful in Christ and their obligation to bring forth fruit in charity for the life of the world.’<sup>13</sup> This is another point which Balthasar is able to endorse wholeheartedly due to his well-developed concepts of mission and personhood. Balthasar’s use of these concepts is very helpful to know when reading the *Nine Propositions* and we will now rehearse some of their main features as set out in his *Theo-Drama III* (1978).<sup>14</sup>

In the discussion of *Glory VI* in the previous chapter, we showed that Balthasar has an account of the human individual which he extends tentatively to the person of God. Just as the human individual is composed of an “I” and a presence or weightiness, so is God conceived as a divine “I” and a divine glory.<sup>15</sup> Balthasar argues that God reveals himself in the Old Testament primarily by his glory, but also by his divine “I” which lies behind or within his glory. Israel gains true knowledge of God, but this is always accompanied by sensory manifestations which are required to capture the attention of finite human knowers.<sup>16</sup> A finite individual can know the sensory manifestations straightforwardly because they are on his or her creaturely level. However, it is only by the work of God that an individual is “transported” to a state in which they can “see” the divine glory of God and ultimately discern the divine “I” of God.<sup>17</sup>

In the last chapter we also showed, from the text of TS, that Balthasar interprets Jesus Christ as the most profound association of a sensory phenomenon, the humanity of Jesus, and of God, the divinity of Jesus. By attending to the mysterious life of Christ, the believer is drawn into the supernatural, yet paradoxical, knowledge of God.<sup>18</sup> In *Theo-Drama III*, Balthasar elaborates on the consequences of this encounter of humanity with God, in Jesus Christ, making prominent use of the concepts of mission and person. Balthasar summarises his account of what ‘...makes conscious subjects into persons in the Christian sense’ as follows:

It is when God addresses a conscious subject, tells him who he is and what he means to the eternal God of truth and shows him the purpose of his existence

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<sup>13</sup> OT 16. Flannery, *Conciliar Documents*, 720.

<sup>14</sup> Balthasar, *Theo-Drama III. Dramatis Personae, Persons in Christ* (San Francisco: Ignatius, 1992).

<sup>15</sup> Balthasar, *Glory VI*, 33-34.

<sup>16</sup> Balthasar, *Glory VI*, 34-35.

<sup>17</sup> Balthasar, *Glory VI*, 9 and 13.

<sup>18</sup> Balthasar, TS, 32. GO *Die Wahrheit ist symphonisch*, 28.

– that is, imparts a distinctive and divinely authorised mission – that we can say of a conscious subject that he is a “person”. This is what happened, archetypically, in the case of Jesus Christ, when he was given his eternal “definition” – “You are my beloved Son.”<sup>19</sup>

The first sentence in this passage reveals a close connection, for Balthasar, between becoming a person in the Christian sense and being given a ‘divinely authorised’ and bespoke mission. Without a divine mission, an individual is merely a ‘conscious subject’, operating at the level of natural creaturely existence. Once a mission has been provided, the conscious subject is elevated into personhood, and can be said to have received – using the language of OT 16 – an ‘elevated vocation’ from God.

In the second sentence, Balthasar then refers to the archetypal missioning of Jesus Christ at his baptism by the Father. The word archetypal is important here because it points to the distinction between the universal mission of Jesus Christ, the second person of the Trinity, and the mission of other conscious subjects called by God. It is also worth noting that the baptism scene in scripture involves the holy Spirit. This is reflected in Balthasar’s argument that divine missions are made present to conscious subjects by the holy Spirit: ‘the Holy Spirit ... gives us both things at once: a concrete plan of the future, in accordance with our own mission and hence with our own personality, and the inner free spontaneity to carry out, recall and follow this plan.’<sup>20</sup>

Our reading of Hegel’s SCF in the previous chapter can help us to understand the role that the holy Spirit is playing in the gift of a divine mission to an individual. Specifically, Hegel critiques the claim that humanity can be reconciled in law on the grounds that law is restricted to thought. A similar objection might be raised about the gift of a mission to an individual by God from outside. Balthasar’s account of the holy Spirit in *Theo-Drama III* passage could then be read as a response to this problem because the gift of a mission includes the gift of an ‘inner free spontaneity’ – that is of inclination – as well as of a concrete plan, made present in thought. Thus, when the individual receives a mission they receive both inclination (spontaneity) and thought (concrete plan). Missions are therefore not restricted to the realms of thinking or being but include both. Moreover, Balthasar stresses this aspect of his account, in the case of Jesus, by pointing out that the latter owes ‘...his entire being to the heavenly Father who has sent him.’<sup>21</sup> Looked at from the perspective of Hegel’s account of law in SCF, Balthasar’s deployment of the concept of mission has an advantage over other postconciliar accounts of moral theology, which depend on

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<sup>19</sup> Balthasar, *Theo-Drama III*, 207.

<sup>20</sup> Balthasar, *Theo-Drama III*, 52.

<sup>21</sup> Balthasar, *Theo-Drama III*, 177.

objective moral rules, in that it does not conceive of right living purely in conformity to something thought but in something lived.

Returning to the question of the archetypal quality of the universal mission of Jesus takes us into the heart of Balthasar's account of mission and personhood.<sup>22</sup> In the event of Jesus' baptism it is possible to see God working in three ways: through the Father, God is authorising the mission of Jesus Christ; through the Son, God receives the mission having bound himself into a mysterious union with the man Jesus Christ; through the Spirit, God makes the mission present to the Son, in his divinity and his humanity, in the form of a concrete plan and of the inclination to follow this plan. Taken together the baptism of Jesus constitutes the unique historical process in which God himself takes on a divine mission for the salvation of the world. It also means that, on account of the unity of God, Jesus' identity 'must be Trinitarian: in order to be himself he needs the Father and the Spirit.'<sup>23</sup>

The process by which the archetypal mission of Jesus is subsequently extended to the whole of humanity can be considered from two directions. In the first place, Balthasar stresses the New Testament concept of being found "in Christ" to talk about how all humanity is invited to participate in Jesus' mission of the saving and healing of the world. Thus, a '...personality and mission, specifically designed for and tailored to each individual, are always a form of participation, through grace, in the unique universal mission of Jesus.'<sup>24</sup> On the other hand, there is also a proper pluralism among missions – rather as there is a proper pluralism among the players in an orchestra. This pluralism has a limit and Balthasar considers the period of the Apostles' preaching and supervision to establish a plurality of perspectives on Christ's mission which form 'an adequate basis for theological reflection down through all the centuries...'.<sup>25</sup> Thus, Balthasar's account of mission and person in *Theo-Drama III* is consistent with the metaphor of the orchestra found in TS.<sup>26</sup> There is a legitimate pluralism in right human action, this is reflected in a diversity of individual bespoke missions which harmonise with each other and with the mission of Christ. Clearly there is a question as to how well one is living out, or performing, one's mission. Then, at the limit, true pluralism is constrained by the question as to whether one is cooperating with or resisting the work of God, or, to put this in the

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<sup>22</sup> For a reference to the universality of Christ's mission see Balthasar, *Theo-Drama III*, 160.

<sup>23</sup> Balthasar, *Theo-Drama III*, 162.

<sup>24</sup> Balthasar, *Theo-Drama III*, 249.

<sup>25</sup> Balthasar, *Theo-Drama III*, 147.

<sup>26</sup> Balthasar, TS, 7-8. GO *Die Wahrheit ist symphonisch*, 7-8.

stark terms that Balthasar appears to endorse, whether one is located inside or outside Christ.<sup>27</sup>

Returning to our discussion of the text of OT 16, then, the final element is the reference in the text to the ‘obligation’ to bear fruit. This can easily sound as though there are a set of duties, or at least a duty, which is imposed on Christians as a consequence of their faith. This might at first appear to pose a problem for Balthasar’s account of moral theology. After all, it was noted in chapter one that Häring originally recommended ‘mission’ and this was later substituted with the term ‘obligation’.<sup>28</sup> However, the foregoing account of mission shows a way in which Balthasar might agree that the Christian faces an obligation to bear fruit. Crucially, this is not the ‘obligation’ of obeying ‘timelessly valid laws’ for conduct – as is the case for Schürmann and Fuchs – but the obligation of accepting a bespoke personal mission from God.<sup>29</sup> As Balthasar will make clear at a number of points in the *Nine Propositions*, the Christian does not face an abstract obligation, such as an obligation to keep a particular law, principle or criterion. Thus, whilst Schürmann searches for Christian legal obligations in scripture, and Fuchs retains a set of natural legal obligations, Balthasar proposes a personal obligation in the form of a mission which includes both a concrete plan and the inclination to want to follow it. Balthasar’s version of the ‘obligation’ thus draws on one’s full and free personality to achieve something that is simultaneously entirely satisfying (creaturely) and holy (divine).

This discussion of Balthasar’s use of OT 16 supports our primary claim that his *Nine Propositions* responds directly to the task set for moral theologians by the council. The extent and the difficulty of this task has not been given much attention in the English language secondary literature since the council. The analysis also generates questions regarding the thinking of the ITC members who refused to endorse Balthasar’s *Nine Propositions* wholeheartedly. Was this merely a refusal by the commission to adjudicate between Balthasar and Schürmann? Did the commission members disagree with Balthasar that OT 16 was an important instruction for moral theologians regarding the future of their discipline? Probably not given that Schürmann added references to his paper after the meeting. What other objections did the ITC have to Balthasar’s propositions? Or did they elect to send the *Nine Propositions* out for study with the intention of returning to the question of

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<sup>27</sup> For an example of Balthasar apparently accepting this kind of formulation see, e.g., *Glory* VI, 11. This was referenced in the previous chapter.

<sup>28</sup> See chapter one page 23.

<sup>29</sup> Balthasar, *Theo-Drama* I, 28. *GO Theodramatik*, 26.

postconciliar moral theology in later years? If this latter point is correct then there is no evidence that the commission ever returned to this research question.

#### Preliminary Note: Paragraph One

The Christian who lives by faith has the right to ground his ethical activity [*sittliches Handeln*] on his faith. Since faith's content – namely, Jesus Christ, the revealer of a love that is triune and divine – has adopted both the form and the guilt of the First Adam, as well as the constrictions, perplexities and decisions of the latter's existence, the Christian is in no danger of failing to find the First Adam, and hence his own ethical [*ethische*] problems, in the Second. Jesus, for instance, had to choose between his Father and his family: "Son, why have you treated us so?" (Luke 2:48). So the Christian will make the weighty decisions of his life from the perspective of Christ, i.e. by faith. An ethic [*Ethik*] that sets out from the brilliance of the light of revelation and works backward to the deficient preliminary stages, cannot actually be labelled "descending" (as opposed to an ethics, which "ascends" from its foundation in anthropology).

[1] We noted above that Balthasar's first paragraph acknowledges the instruction of OT 16 by focusing on the Mystery of Christ. In doing so, the first sentence of the paragraph adopts the perspective which Balthasar has already defined in TS, namely, a perspective 'within the all-embracing mystery [of Christ].'<sup>30</sup> However, Balthasar offers a pithier summary of this perspective when he refers to it as 'faith'. The sentence also conforms to the personal focus of OT 16 ('vocation') talking in terms of the entire 'ethical activity' of the person of faith rather than in terms of discrete acts which is the perspective of the moral manuals.

By far the hardest term to interpret in the first sentence is Balthasar's reference to 'right'. The reader might be tempted to read this as a reference to the contemporary framework of universal human rights.<sup>31</sup> This reading would involve Balthasar – as a theologian – staking a claim on behalf of all Christians to their right to religious freedom. However, this reading is rendered impossible once it is recognised that Balthasar's proposal for postconciliar moral theology is based on the account of mission rehearsed above. Such an interpretation is also vulnerable to the Hegelian critique of law in SCF, which we have already used to cast light on some aspects of Balthasar's ethical proposal. From the perspective of Hegel's SCF universal human

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<sup>30</sup> Balthasar, TS, 61. GO *Die Wahrheit ist symphonisch*, 53.

<sup>31</sup> Our thanks to the participants at the Kirby Laing Institute for Christian Ethics (KLICE) postgraduate seminar on 29 October 2010 for raising this concern.

rights are not, in themselves, an adequate basis for global reconciliation because they are restricted to thought. The strengths and weaknesses of this analysis of human rights would be an interesting topic for future research.

We will be using Hegel's SCF to help us to interpret Balthasar's *Nine Propositions* on a number of occasions in this chapter and the next. This was the primary purpose of interpreting this eighteenth century text in the last chapter. Understanding Hegel's argument in SCF helps the reader to recognise some of the argumentative moves that Balthasar makes in his very dense *Nine Propositions*. We also noted in the previous chapter that Balthasar had read Hegel's SCF because he paraphrases a section in his *Theo-Drama I* published in 1973.<sup>32</sup> We do not claim in this thesis that Hegel's SCF was a major influence on Balthasar's *Nine Propositions*, or that Balthasar drew on Hegel's text when developing his fundamental proposal for postconciliar moral theology. However, there are two points in the explanatory paragraphs to the *Nine Propositions* where Balthasar does appear to have drawn on SCF. First, in an explanatory paragraph to proposition seven, Balthasar criticises Kant's categorical imperative for opposing 'abstract "duty" [*Pflicht*] against the "inclination" [*Neigung*] of the senses...' (7.e3). In SCF, Hegel makes an identical argument when he claims that '[t]he opposition of duty [*Pflicht*] to inclination [*Neigung*] has found its unification in the modifications of love, i.e., in the virtues.'<sup>33</sup> Secondly, Balthasar offers a taxonomy of mistaken responses to law which he provides in the second explanatory paragraph of proposition six. This is discussed more fully in our interpretation of proposition six in chapter four. In essence, however, Hegel provides in SCF a dense account of the inadequate attempts to reconcile the world exhibited by the Pharisees, Sadducees and Essenes at the time of Jesus. In 6.e2 Balthasar paraphrases this taxonomy whilst replacing the names of the early Jewish sects with various modern philosophers. Given that Hegel uses his discussion of the Jewish spirit as a proxy for his critique of Kantian moral philosophy, Balthasar's alterations are consistent with Hegel's original meaning. Balthasar argues that modern life has fragmented in the nineteenth and twentieth centuries in the same way that Hegel argued that the Jewish spirit had fragmented into sects at the time of Jesus.

Of course, neither of these apparent allusions proves that there is a relationship of dependence between Balthasar's proposal for postconciliar moral theology in the *Nine Propositions* and Hegel's SCF. The investigation of Balthasar's relationship with the philosophy of Hegel would be an interesting topic for future research.

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<sup>32</sup> Balthasar, *Theo-Drama I*, 71-72. GO *Theodramatik*, 66.

<sup>33</sup> Hegel, SCF, 225.

Having explained, then, that Balthasar's account of mission precludes the interpretation of 'right' in the preliminary note as an allusion to universal human rights, what role is the term actually playing? Here there would appear to be two answers. In the first place, it may be an allusion to the Declaration on Religious Liberty (*Dignitatis humanae*) from Vatican II. This declaration is not discussed in the first chapter of this thesis and will not be subject to detailed scrutiny here. However, it makes prominent use of the concept of 'right' when it states that '[t]he Vatican Council declares that the human person has a right to religious freedom.'<sup>34</sup> By alluding to this statement, Balthasar cannot be treating the text as an endorsement of universal human rights. Rather, Balthasar is interpreting this 'right' as something like the spiritual 'right' to be reconciled with God. This is a rather circular use in which a right is claimed against God on the basis of the salvation given by God. Nevertheless, it is an interpretative possibility. Balthasar may have been encouraged in this interpretation by the Declaration's account of the aspirations of Christian believers: 'the principle of religious liberty contributes in no small way to the development of a situation in which men can without hindrance be invited to the Christian faith, embrace it of their own free will and give it practical expression in every sphere of their lives.'<sup>35</sup> Here the reference to 'practical expression' would seem to echo Balthasar's claim that the 'ethical activity' of the Christian is grounded in faith.

However, in the second place, it is also possible that Balthasar imagined that the 'right' of the Christian can be claimed against the principle, or spirit, of the world. Such an interpretation can be elucidated using Hegel's argument in SCF. In the previous chapter it is noted that Hegel distinguishes between a stoical account of the life of love and an account of Jesus' contesting with the Jewish spirit. In the former, Hegel argues that the life of love requires the renunciation of one's right in favour of an active embrace of suffering. In the latter, which Balthasar is invoking at this point, Jesus 'contests' [*bekämpfte*] for his right with the Jewish spirit into which he had been born.<sup>36</sup> The explanation that Hegel gives for the different responses is that 'when the whole of the community becomes an object of contempt' it is permitted to contest rather than to endure.<sup>37</sup> In other words, if one is opposed to the principle or spirit of a community then it is required to contest it, even if one is practicing the life of love.

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<sup>34</sup> *Dignitatis humanae* 2. Flannery, *Conciliar Documents*, 800.

<sup>35</sup> *Dignitatis humanae* 10. Flannery, *Conciliar Documents*, 807.

<sup>36</sup> Hegel, SCF, 205.

<sup>37</sup> Hegel, SCF, 207.



Balthasar makes substantial use of the distinction between the revelation of God and the world in the *Nine Propositions*. This has already been noted in passing when Balthasar claims that Christian ethics ‘...comes forth from and depends on the mystery of Christ, which is the centre of the history of salvation as well as of the history of man.’<sup>38</sup> On the one hand there is the ‘history of salvation,’ on the other hand there is the ‘history of man’. Balthasar goes on to make considerable use of New Testament apocalyptic in support of this distinction. In this context, the ‘right’ of the Christian would appear to be the right to participate in the history of salvation *rather than* the history of man. It does not have any specific ethical implications other than to highlight the significance of the confession of faith in Jesus Christ and participation in his body, the Church.

This use of ‘right’ by Balthasar remains stubbornly difficult to interpret. If we continue to use SCF to cast light on Balthasar’s meaning then we will recall that the problem with taking up one’s right, and the reason that Hegel advocates stoicism, is that it presupposes an alien ‘law’ which will measure one’s relationship with one’s fellow human beings. When rights are being invoked, true reconciliation, life and love will never be realised. However, Hegel allows the exception that, when a whole spirit is lifeless, contest, fighting for your rights, is the correct response. The contrast that Balthasar draws in the fourth proposition between the spirit of Christ and the spirit of the world can be read in these terms. Thus, Balthasar appears to be introducing a spirit of the world as an object of Christian contempt. Against this spirit, Christians take up the right of faith in Christ. Within the community, however, Balthasar maintains that Christians practice the stoical active suffering which holds open the path to true life and reconciliation. Thus, the contrast between the spirit of Christ and the spirit of the world is equivalent, in the *Nine Propositions*, to the distinction between true and false pluralism in TS.

[2] The second sentence provides Balthasar’s answer to the 1969 ITC research question. In response to the search for the ‘criteria of Christian moral knowledge,’ Balthasar presents Jesus Christ. In doing so, the sentence again repeats Balthasar’s claim in TS that the Mystery of Christ is the criterion for ethics as well as for doctrine. Indeed, the whole sentence reproduces arguments which have already been identified in our discussion of TS in chapter two. The question of ‘content’ is the question of ‘knowledge’. In TS, Balthasar cautions that the mystery quality of Christ means that he is never fully graspable.<sup>39</sup> However, the presence of Jesus Christ in

<sup>38</sup> This is the final sentence of the Latin version of the preliminary note quoted in translation in note 10 above.

<sup>39</sup> Balthasar, TS, 25. GO *Die Wahrheit ist symphonisch*, 22.

human history means that he can be known. In SCF, Hegel offers the principle of ‘nonpersonal living beauty’ which has no concrete form.<sup>40</sup> This is not a problem for Christians because their principle, Jesus Christ, has concrete form. On the other hand, Hegel’s objection that the worship of a contingent man introduces a permanent division into the whole of nature (because the desire to be reconciled with a dead man can never be satisfied) is ameliorated by the Christian claim that Christ is alive and is ungraspably present by his Spirit.<sup>41</sup>

The presence of Christ by the Spirit is indicated in the reference to the ‘triune and divine’ love. This is the satisfaction of the Christian desire to be reconciled with Jesus Christ. However, the main emphasis of the sentence is on the full humanity of Jesus Christ. Balthasar’s emphasis on this point may be contrasted with Hegel’s argument in SCF. The human Jesus brings ‘form’ [*Gestalt*] to the Christian religion, which is the same term that Hegel uses in SCF to refer to the Holy of Holies as the concrete focus of the Jewish spirit.<sup>42</sup> However, in contrast to Hegel, Jesus Christ also brings ‘the form and *the guilt*’ (our emphasis). That is, by his ‘form’ Jesus provides a knowable focus for the reconciliation of the whole (a resolution to the problem posed by Hegel in SCF) and by his ‘guilt’ Jesus enters into solidarity with Israel (preparing to resolve what Balthasar understands to be the Old Testament problem). More specifically, Jesus enters complete solidarity with Israel’s existence under law. (Balthasar uses the term guilt because he refuses to attribute ‘sin’ to Jesus in accordance with the teaching of the council of Chalcedon that Jesus is ‘like us in all respects except for sin’ and with Hebrews 4:15.<sup>43</sup>) Thus, both the universal problem of the reconciliation of the world in love and the new biblical problem of guilty law-breaking are transformed by the Mystery of Christ.

[3] The third sentence presents itself as an illustration of the full humanity of Jesus Christ. It also casts light on what Balthasar considers to be the purpose of moral theology in the postconciliar period. In keeping with his distinction between the Spirit of Christ and the Spirit of the world, the choice which Jesus is said to have faced in Luke 2:48 is between God and the world (represented by Father and family). Interestingly, it is difficult to see why this scriptural story is an ‘ethical problem’ and how Jesus might be said to have had a choice? In the first place, Balthasar insists that there is a conflict of demands, but there is no suggestion in scripture that Jesus

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<sup>40</sup> Hegel, SCF, 301.

<sup>41</sup> Hegel, SCF, 292-293.

<sup>42</sup> Hegel, SCF, 192.

<sup>43</sup> “The Fourth Ecumenical Council,” in Pelikan and Hotchkiss, eds., *Creeds and Confessions of Faith in the Christian Tradition, Volume I* (New Haven and London: Yale University Press, 2003): 181.

disobeyed his parents. Instead, there appears to be a mismatch between the expectations of Jesus and the expectations of his parents. Indeed, the primary purpose of the story in Luke is as an example of God's gift of understanding to Mary. After Jesus learns of their concern he acts obediently towards them and, presumably, allayed their frustration. The result is that Mary 'treasured all these things in her heart' (Lk. 2:51; NRSV). Balthasar, however, gives an account in the *Nine Propositions* of the importance of obedience to God as an alternative to disobedience. Thus, he reads the story as an example of an ethical problem of contrasting demands between God and the world in order to argue that ethical Christians always act in conformity to the call of God in Christ.

[4] The fourth sentence recapitulates the argument of the first three, emphasising the importance of the perspective of faith – being found in Christ – for Christian ethical existence. One way to conceive of this is to recall the metaphor of an orchestra that Balthasar develops in TS. As the player of a particular instrument, it is only by attending to the conductor, Jesus Christ, that one can rightly discern how to make the big musical decisions like when to commence and when to cease playing a particular note or musical phrase.<sup>44</sup>

[5] The fifth sentence of the paragraph marks a transition in the argument from a positive account of Balthasar's argument into a negative attempt to clarify possible misunderstandings. This negative task continues into the second paragraph. The reason for including the fifth sentence in the first paragraph, however, is simply that it refers to the Mystery of Christ. Balthasar's main concern is to prevent the *Nine Propositions* from being read in a manner analogous to a Christology 'from above' or 'from below', i.e. in a highly polarising way. This distinction is often used in discussions of Christology at this time.<sup>45</sup> However, it is ruled out by Balthasar's concept of the mission of Jesus Christ rehearsed above. Jesus Christ is not merely a human being, nor merely divine, but is the inclusion of a human being within the divine life of God, such that the former allows one to be transported in a way that gives knowledge of the latter. Jesus Christ gives ordinary human knowers access to the principle of divine love whilst, on the other hand, this principle of divine love

<sup>44</sup> Balthasar, TS, 7-8. GO *Die Wahrheit ist symphonisch*, 7-8.

<sup>45</sup> These terms appear to have originated in Protestant theology. However, it is difficult to locate the origin precisely. Wolfhart Pannenburg vaguely attributes them to Barth's *Church Dogmatics* and Brunner's *The Mediator*. See Pannenburg, *Jesus – God and Man* (London: SCM, 1968 [1964]): 33-34. Rahner appears to have popularised the terms in Catholic theology through a 1972 essay: "The Two Basic Types of Christology," in *Theological Investigations XIII*, David Bourke trans. (London: Darton, Longman and Todd, 1975): 213-223. Nicholas Lash calls for an end to the use of the terms in: "Up and down in Christology," in *New Studies in Theology I*, Stephen Sykes and Derek Holmes eds. (London: Duckworth, 1980): 31-46.

remains paradoxically ever beyond knowledge. Balthasar's response to the question "from above" and "from below" is to say that neither is adequate, on its own, to the task of interpreting the Mystery of Christ.

#### Preliminary Note: Paragraph Two

Nor can this ethics be accused of being unhistorical [*Ungeschichtlichkeit*] in that it treats the Gospel before the Old Testament law. The way is determined and illuminated by the goal one has in view, and this applies particularly to this unique way of salvation-history, which only attains its goal as a result of the dialectic between discontinuity and surpassing [*Überbietung*] (stressed by Paul) and inner fulfilment (stressed by Matthew and James). Naturally, from an historico-chronological [*historisch-chronologisch*] point of view, propositions 5 and 6 should come before the Christological ones, and propositions 7 – 9 before the latter. But the Christian lives in the "last age" [*Endzeit*] and must continually struggle to get beyond that in him which belongs to the preliminary stage and into the ultimately valid [*End-Gültige*]. Thus, it is more (not less) necessary for Christ, too, to live out his obedience to the Father, not merely at the level of prophetic immediacy, but by keeping the law and by "faith" in the promise. And the Christian follows him in this.

The second paragraph of the preliminary note comprises five sentences in German and six sentences in English.<sup>46</sup> It outlines the way in which Balthasar has organised his propositions on the pattern of the history of salvation. Salvation history is the second element, after the Mystery of Christ, in Balthasar's claim that the *Nine Propositions* is perfecting moral theology in the manner requested by the council in OT 16. On a structural level, the paragraph addresses the *Nine Propositions* as a whole. On the one hand, it discusses the relationship between Old Testament ethics and Christian ethics. This is also the relationship between Section I (propositions 1-4) and Section II (5-6) of the *Nine Propositions*. On the other hand, it addresses the relationship between biblical ethics and extrabiblical ethics. This is the relationship between Sections I & II (1-6) and Section III (7-9).<sup>47</sup>

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<sup>46</sup> This analysis follows the German structure by discussing the final two English sentences together.

<sup>47</sup> Balthasar uses the common term '*Ethik*' to refer to all three sections of the *Nine Propositions*. 'Christian ethics' is referred to in the title of the *Nine Propositions* and, implicitly, in the final sentence of the first paragraph of the preliminary note. 'Old Testament ethics' is referred to in (6.e2c). 'Extrabiblical [*außerbiblischer*] ethics' is in the title of Section III. However, this should not be taken to mean that Balthasar believes that there is a common genus 'ethics' of which the three sections provide examples. Balthasar believes that there is a parallel – or an analogy – between the three

[1] The first sentence picks up from the final sentence of the previous paragraph by defending Balthasar's text from a second misinterpretation. The final sentence of the previous paragraph urges readers not to subordinate the *Nine Propositions* to the Christological categories "from above" or "from below". This sentence addresses the potential criticism that the *Nine Propositions* are 'unhistorical'. In the final section of the previous chapter, it is argued that the question of historical conditioning is one of Schürmann's main concerns in his 1974 submission to the ITC. This question had also been addressed in the ITC's 1972 propositions regarding doctrine. In the words of proposition ten of 1972: 'Dogmatic formulations must be considered as responses to precise questions, and it is in this sense that they remain always true.' This does not use the word 'history' but it makes clear that doctrine is inseparable from the asking of questions, which is an historical activity. Doctrine can "develop" to the extent that the questions being asked can change. The proposition concludes with a carefully balanced formula 'today's answers always presuppose in some way those of yesterday, although they cannot be reduced to them.'<sup>48</sup> The following year, a CDF declaration admitted that '[d]ifficulties arise also from the historical condition that affects the expression of revelation'.<sup>49</sup>

As with the question of "from above"/"from below" in the previous paragraph, Balthasar wishes to avoid a polarised reading of his text. The ITC's 1972 propositions admit that today's answers presuppose yesterday's (continuity), but that it is necessary to keep asking and answering new doctrinal questions (discontinuity). The CDF offers a more cautious formula, stating that doctrinal statements might be expressed incompletely at one point in time, only to be rendered more complete by a future answer. Finally, Schürmann argues that most moral statements are simultaneously conditioned by history and by eschatology. Each of these formulations seeks to articulate the manner in which theological statements are identical through time and yet subject to variation.

Balthasar improves on the treatment of this problem by assuming that all statements are historically conditioned. Thus, instead of asking whether statements are historically conditioned, Balthasar asks what kind of history they are conditioned by, and here he distinguishes between salvation-history (sentence two) and chronological

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Sections. However, 'Christian ethics' is shorthand for the definitive form of ethical life [*Sittlichkeit*] inaugurated by God in Christ. This ethical life includes both thinking and being and thus cannot be reduced to a form of words which can be taken up and applied in any lived state-of-affairs. It is also worth noting that Balthasar uses the phrase 'non-biblical ethics' rather than 'extrabiblical ethics' in his 1973 essay "Experience of God in the Bible," *Cistercian Studies* Vol. X Part 2 (1975): 119-126.

<sup>48</sup> Sharkey, *Texts*, Vol. I, 93.

<sup>49</sup> CDF, *Mysterium Ecclesiae* [Declaration], 24 June 1973.

history (sentence three). This distinction might be criticised for taking ‘chronological history’ too seriously as a kind of natural time, however we will not be able to pursue this line of thought any further in this thesis. Whether or not it is ultimately successful, the distinction is a great improvement on the formulations of the ITC in 1972, the CDF in 1973, and Schürmann in 1974, because it attributes the unity of salvation history to God.

In light of this discussion, the sophistication of Balthasar’s defence against the charge of being ‘unhistorical’ becomes clear. The council fathers instructed moral theologians to take greater account of salvation history, and this is exactly what Balthasar is doing in the *Nine Propositions*. His account accepts that all knowledge is historically conditioned. Those who might read him as ‘unhistorical’ are confusing his theological critique of chronological history for a critique of history as such. Such critics, Balthasar explains, are profoundly mistaken about his text.

A final comment to make on this sentence is to consider the significance of the example which Balthasar provides: namely, the comparison of the Gospel of Jesus Christ and the Old Testament *law*. This is a little surprising given that the structure of the *Nine Propositions* places propositions 1-4 (Section I) before propositions 5-6 (Section II). Surely Balthasar simply means to say that he is treating the Gospel (Section I) before the Old Testament (Section II)? The answer would appear to be that Balthasar has neo-Scholastic moral theologians in view. As noted in chapter one, the neo-Scholastic manuals tended to be dominated by the concept of law drawing their authority from the mosaic legislation. Thus, Balthasar is drawing attention to the fact that his argument in the *Nine Propositions* gives a theological explanation for the popular repudiation of the neo-Scholastic moral manuals.

[2] The second sentence develops Balthasar’s account of salvation history, which has been introduced briefly above. The first part of the sentence juxtaposes a general statement about different kinds of ‘way’ with a specific statement about ‘this unique way of salvation history’. This kind of language can be interpreted using Hegel’s SCF. Towards the beginning of this text, Hegel claims that, after the Noahic flood, humankind ‘...strove by various ways to revert from barbarism... to[wards] the unity which had been broken...’.<sup>50</sup> Balthasar appears to be using ‘way’ in a similar manner to Hegel as it refers to a historical process by which reconciliation with God (Balthasar) or the whole (Hegel) is brought into effect.

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<sup>50</sup> Hegel, SCF, 182. My emendations.

The second part of the sentence is difficult to interpret, but provides important detail regarding the relationship between the various propositions. The two published English translations disagree regarding the relationship of inner fulfilment and dialectic in this sentence. Graham Harrison takes the view that discontinuity is on one side of the dialectic and surpassing/inner fulfilment are on the other, whilst Elders and Baker identify a dialectic between discontinuity and surpassing and consider inner fulfilment to be a separate, supplementary, thought. The Latin text available on the website of the holy See appears to vindicate Elders and Baker and the version of Harrison's text quoted above has been amended accordingly (as we note in the appendix, the latter appears not to have made any use of the Latin text).<sup>51</sup> This translation also fits with the general fact that the Pauline scriptures are more attentive to the relationship between Old and New Testaments than those of Matthew and James.

In the Latin text the references to biblical authors are not in parentheses and Matthew and James are summarised with the term 'fulfilment' rather than 'inner fulfilment'. The primary consequence of the addition of the word 'inner' appears to be a greater emphasis by Balthasar on the transformation of inclination by Jesus Christ. This point will become clearer in the interpretation of the propositions below. Otherwise, by quoting the biblical authors at this point, Balthasar is claiming that the argument of the *Nine Propositions* is drawn from a wide range of New Testament scriptures. This is a helpful addition to his claim to be fulfilling the instruction of OT 16 that postconciliar moral theology: 'should draw more fully on the teaching of holy Scripture'. The claims also provide an explanation for the titles of the first two sections: Section I 'The fulfilment of ethical life [*Sittlichkeit*] in Christ' and Section II 'The Old Testament elements of the synthesis to come'.

Despite the fact that these two titles make historical claims ('fulfilment' and 'synthesis') it is difficult to see how they harmonise with one another. The references to the biblical authors in the preliminary note resolve this problem as the titles can be understood as two ways of characterising salvation-history. Specifically, Balthasar is claiming that Matthew and James characterise salvation-history in terms of fulfilment, whilst Paul characterises it in terms of dialectic. Both of these parallel accounts are scriptural and, thus, Balthasar includes them both in his propositions.

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<sup>51</sup> The relevant Latin text reads: "Tantummodo meta viam determinat et illuminat; hoc etiam et quam maxime de historiae salutis via valet indole singulari praedita, qua simul, iuxta aspectum a Paulo sublineatum, superatio et, secundum visionem Matthaei et Iacobi, adimpletio est." Balthasar, "Novem Theses." Available online at: [www.vatican.va/roman\\_curia/congregations/cfaith/cti\\_documents/rc\\_cti\\_1972\\_fede-pluralismo\\_lt.html](http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_1972_fede-pluralismo_lt.html) (Last accessed: 29 December 2015).

The implications of these characterisations for the relationship between Section I and Section II will be discussed further below.

[3] The third sentence is the point at which Balthasar introduces what was termed above ‘chronological history’. Balthasar’s use of the term ‘naturally’ emphasises that this is history considered apart from biblical revelation. It is interesting to notice, however, that Balthasar’s ‘historico-chronological’ ordering of the propositions is highly argumentative. In particular, Balthasar claims that proposition seven (‘conscience’), and proposition nine (‘Post-Christian anthropological ethics’) should be considered as chronologically prior to Old Testament ethics. In what sense is this either chronological or natural?

The point which Balthasar is arguing is that it is possible for the sophistication of human ethics to go backwards as well as forwards. According to Balthasar, Christian ethical life is the ‘unique’ way towards the reconciliation of the world. The gospel is thus treated first, despite the fact that the historical events reported occurred around two thousand years ago. Taken as a whole, the *Nine Propositions* flows in a kind of downward movement from Christian ethical life (Section I), through Old Testament ethical life (Section II) to Extrabiblical ethics (Section III). However, Balthasar also believes that the revelation of God in Christ has transformed the natural history of the world. Thus, it is not possible simply to return to the forms of ethics which were around before the time of Jesus Christ. Balthasar discusses this explicitly in one of the explanatory paragraphs when he notes that a simple regression to Old Testament ethics is impossible. When ‘...there is a consciousness of the fulfilment in Christ, what we find is an absolutist caricature of Old Testament ethics; ...’ (6.e3). Thus, when Balthasar refers to proposition nine as chronologically prior to Christian ethics, he is making a claim of the following kind: anthropological ethics is on the same level of sophistication as pre-Old Testament ethics. However, when Balthasar refers to proposition eight (The pre-biblical natural order) as chronologically prior, he means it both literally and at the level of the sophistication of the argument.

It is suggested in the discussion of the previous sentence that Balthasar’s distinction between salvation-history and chronological history may not ultimately prove persuasive. The discussion of this sentence provides a further support for this suggestion. The Anglican theologian John Milbank has criticised Balthasar in passing, and on the basis of different texts, for occasional lapses into a neo-



Scholastic distinction between grace and nature.<sup>52</sup> If the *Nine Propositions* and *Theo-Drama I* are representative of Balthasar's wider work then this would appear to be a major understatement. In both of these texts the distinction between nature and grace is deeply written into the structure of the argument. However, Milbank makes his point in the course of a study of Balthasar's fellow ITC member and former teacher, Henri de Lubac.<sup>53</sup> In a discussion of de Lubac's theology, Jean-Yves Lacoste criticises the neo-Scholastic account of philosophy as 'an ideal, yet highly unstable, arrangement.' Philosophers simply do not produce the kind of philosophy which theology expects or requires: 'At the end of the day the only philosophies that would fulfil correctly the programme theology had set for them would be philosophies composed by theologians themselves or under their supervision.'<sup>54</sup> Regrettably, Balthasar's chronological account of natural ethics in Section III falls into the latter category: it is a 'natural' account of ethics which is carefully supervised by theology. This is most transparent in the case of proposition seven (conscience) which is discussed in chapter four. Is Balthasar's account of the self-consciousness of the individual the deepest philosophical insight into human existence? Or does it form the obverse of Balthasar's absolute recommendation of Christian ethical life?

[4] The fourth sentence presupposes Balthasar's prior distinction between the two stages of biblical ethics. In particular, Balthasar reiterates that Christian ethics is the pinnacle of ethics because it is the product of the "last age". It is also an attempt by Balthasar to find a point of continuity with the ITC's 1972 propositions on moral pluralism. It might even have been Balthasar himself who included within proposition fifteen the phrase: 'Christian liberty ...demands a struggle toward totally objective truth no less than patience with less robust consciences (cf. Rom 14:15; 1 Cor 8).'<sup>55</sup> It is also the case that Philippe Delhayé refers to propositions ten to twelve of 1972 – the propositions on doctrine – as pursuing the question of the 'ultimate validity' [*Endgültigkeit*] of dogmatic formulae.<sup>56</sup>

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<sup>52</sup> 'For von Balthasar the issue is sometimes one of 'how much' to grant to grace and 'how much' to nature. But for de Lubac of course there can be no such question.' John Milbank, *The Suspended Middle: Henri de Lubac and the Debate concerning the Supernatural* (London: SCM, 2005): 67.

<sup>53</sup> De Lubac will not have been present at the ITC's 1974 assembly as he was not reappointed as a member for a second term. This may have been due to his advanced age.

<sup>54</sup> Lacoste, 'Desire beyond claim: an Introduction to Henri de Lubac,' translated by Oliver O'Donovan, unpublished manuscript. French Original: "Le Désir et l'inexigible: pour lire Henri de Lubac," in *Le monde et l'absence d'oeuvre* (Paris: Presses Universitaires de France, 2001): 31-32.

<sup>55</sup> Sharkey, *Texts*, Vol. I, 94.

<sup>56</sup> Philippe Delhayé, "These XIII-XV. Kommentar von Philippe Delhayé," in *Die Einheit des Glaubens und der theologische Pluralismus*, edited by Joseph Ratzinger (Einsiedeln: Johannes, 1973): p.62.

[5+6] The final two sentences put the argument of the paragraph to work in the person of Jesus Christ, summarising Balthasar's twofold interest in the Mystery of Christ and salvation history. Balthasar refers to Jesus by the title Christ (i.e. Messiah), which emphasises that Jesus has a pre-history among the Old Testament people of God as the object of a prophetic promise, and Jesus is presented as the first Christian who gets deeper than the 'preliminary stage' of Old Testament ethics. In broader terms, Jesus inaugurates the unique *Sittlichkeit* of the Christian religion.

To understand the relationship that Balthasar is imagining between Jesus Christ and the Old Testament it is helpful to consider the approach taken by Hegel in SCF. In a discussion of Mt. 5:17-20, Hegel interprets Jesus as teaching: 'not that laws disappear but that they must be kept through a righteousness of a new kind, in which there is more than is in the righteousness of the sons of duty and which is more complete because it supplements the deficiency in the laws.'<sup>57</sup> This provides a helpful way of interpreting Balthasar's claim in this sentence of the preliminary note that Jesus is keeping the law. In the Old Testament there is, on the one hand, 'prophetic immediacy', and on the other hand, the promise of God and the law of God. These can be approximated to an individual's spontaneous inclination and their adherence to the law (which is present in thinking). On this account, Balthasar's point is not that faith in the promise, and keeping of the Old Testament law, is no longer necessary for Jesus. Rather, Balthasar is drawing on his account of mission and person, rehearsed earlier in this chapter, to claim that Jesus is fulfilling the will of God by fulfilling his mission, which includes both his (real) inclination and his (thought) keeping of the law. The gospel of Matthew calls this situation of supra-dutiful adherence 'fulfilment' (Gk. *pleroma*<sup>58</sup>).

It is worth repeating that Balthasar's account of Jesus Christ differs here from that of Hegel. Specifically, Hegel interprets the call of Abraham as the development of a new way of thinking about the world, not as a call from the God who is revealing himself to the world. As a theologian, Balthasar maintains the latter: the promise is made by God to Abraham and his descendants. However, Balthasar places quotation marks around the term "faith", when applied to Christ, because Jesus is the fulfilment of the promise at the same time that he is remaining faithful to it.

A final comment is to note that Balthasar juxtaposes Jesus Christ with God as Father in these sentences. This repeats Balthasar's distinction between Jesus and the Father in the third sentence of the previous paragraph. It is helpful to recall the account of

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<sup>57</sup> Hegel, SCF, 214.

<sup>58</sup> Hegel quotes the Greek term for fulfilment on p.214 of SCF.

Jesus Baptism from *Theo-Drama* III discussed at the start of this chapter. Specifically, Balthasar is referring to Jesus as a mysterious whole – the Mystery of Christ – but he is also presupposing that it is impossible to talk about God the Son without reference to the other two persons of the trinity. Thus, as well as talking about the way in which Jesus stands in continuity and discontinuity with the Old Testament, Balthasar frames the new stage of God’s self-revelation in terms of the relationship of between God the Father and God the Son. The role of the holy Spirit is implicit – giving Jesus Christ the immediate inclination to fulfil the law which characterises his transformative and revelatory act. God the Father gives a mission which includes, and stands in continuity with, “faith” in the promise and the keeping of the law. Thus, Jesus Christ is obedient to the Father, and in doing so – more than ever – has “faith” in the promise and keeps God’s law.

#### Preliminary Note: Paragraph Three

Our propositions are highly summary in form and leave many essential matters undiscussed. Thus the Church, for instance, is only referred to obliquely: there is no mention of her sacraments, of the relationship to her official authority. Similarly, there is no discussion of the casuistic decisions, with their wide implications, that face today’s Church and which she must take within the framework of the decisions of humanity [*menscheitlicher Entscheidungen*].

The third and final paragraph of the preliminary note marks a change of tone. Balthasar is no longer summarising his argument in the *Nine Propositions* regarding Christian ethical life, nor showing how this conforms to the teaching of OT 16. Here Balthasar speaks in his own voice and details some of the shortcomings of his text.

When reading this paragraph it is important to recall the difference, explained at the start of the chapter, between the propositions and the explanatory paragraphs. When Balthasar refers to ‘[o]ur propositions’ he means the nine short propositions which will be interpreted in the remainder of this chapter and the next. He is not referring to the explanatory paragraphs. The ‘oblique’ reference to the church is thus Balthasar’s reference to fulfilled ethical life [*Sittlichkeit*]. In the second section of the previous chapter it is shown that Balthasar gives the church the name ‘participation,

*communio*'.<sup>59</sup> This account of the church as the fulfilment of biblical ethics is presupposed by Balthasar's argument in Section I, especially in proposition two.

Balthasar then lists three topics which are not discussed in the text of his propositions: these are the sacraments, the teaching authority of the pope and bishops, and the 'casuistic decisions' facing the church. The first two of these topics are discussed in the explanatory paragraphs. It is thus possible to specify Balthasar's belief that the sacraments and liturgical worship are fundamental to the reception of the holy Spirit and that they give Christian ethical life its basis in reality (1.e1 and 1.e2b). It is also possible to specify Balthasar's revised version of his claim in TS that the church might still issue moral guidelines which, for reasons that we will rehearse in the interpretation of proposition one, cannot be considered to be objective laws. Here, Balthasar argues that '...the Church's directives ...can (and often must) appear hard and legalistic to those who are imperfect, just as the Father's will seemed to the Crucified' (1.e3). A full interpretation of this passage would require comment on Balthasar's use of the term 'directives' [*Weisungen*] and his reference to the relationship of Father and Son at the crucifixion. We will simply recall from the previous chapter that 'directives' is being used during this period of Catholic moral theology as a way of referring to the official teaching of the church.<sup>60</sup>

In the Latin version of this sentence the directives [*normarum*] of the church can appear to be 'obligatory', whilst in German the directives can appear 'legalistic' [*gesetzhaft*]. In both cases, however, Balthasar insists that this can only 'appear' to be the case. This reflects his argument that, in Christ, Christians are obedient to bespoke personal missions from God and not to abstract laws which are restricted to thought. Christians who continue to treat Christian moral direction as abstract laws are mistakenly imagining that their inclination must be in opposition to the personal will of God for them.

The third topic, then, which Balthasar excludes from the text of the propositions themselves are the 'casuistic decisions' facing the church. An important feature of casuistry is that it operates on the basis of question and answer. A question is raised about a case and a decision is taken regarding the answer that will be given. Thus, the answer is specific to the particular case. Balthasar's description of the church as faced with 'casuistic decisions' maintains his opposition to the idea that the church teaches absolute, or timelessly valid, moral laws. Rather, the church responds to the

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<sup>59</sup> For the reference to *communio* noted in the second section of the previous chapter see Balthasar, TS, 38. *GO Die Wahrheit ist symphonisch*, 33. There are no italics in the German original.

<sup>60</sup> See previous chapter page 82.

questions (cases) generated by Christian life in the world today. This description also maintains the line that Balthasar took with regards to the 1972 propositions of the ITC. It is the proposition on doctrinal formulations (proposition ten) which insists on a question and answer approach to doctrine. The propositions on moral pluralism presupposed a series of universal moral demands (conscience/human rights; proposition thirteen) and, in the case of the church, a series of ‘unchanging principles’ (proposition fourteen). By using the term ‘casuistic decisions’ Balthasar again advances his view that doctrine and morals should be treated theologically in the same way.

The final phrase of the paragraph is not present in the Latin version and will be interpreted by reference to Balthasar’s argument in *Theo-Drama I*.<sup>61</sup> The concept of a ‘framework’ is an important component of Balthasar’s discussion of Hegel in *Theo-Drama I*. It is worth briefly summarising the argument in this volume of the trilogy as it confirms that the argument of the *Nine Propositions* is consistent with aspects of Balthasar’s wider theology. The argument of *Theo-Drama I* can be summarised in terms which we have already introduced. In the first place, Balthasar distinguishes between the Christian church and the world in a manner that we have compared to Hegel’s distinction in SCF between the Christian spirit and the rest of human existence. In the second place, again consistent with SCF, Balthasar distinguishes between reflection (thinking) and reality (being). Taking these points of commonality with Hegel for granted, Balthasar argues in Part I of *Theo-Drama I* that there is an analogy (rather than an opposition) between the church and the history of drama. Balthasar’s aim is to establish that the Church provides the definitive form of drama because it is a kind of dramatic reflection that is actually lived. Thus, the church combines thinking and being in a way that was not previously possible (e.g. in antique Athenian drama). In Part II Balthasar investigates what he takes to be the dramatic dimension of human existence in its non-biblical form. Balthasar argues that, taken in this form, theatre is a kind of reflection (thinking) which accompanies the “play” of human existence (being).<sup>62</sup> The volume concludes in Part III with a provisional analysis of the state of the world’s investigation of its dramatic dimension. To what extent is the world conscious of the dramatic dimension of existence? To what extent is the world caught up in illusion? To what extent is the world allowing the dramatic dimension of existence to be perfected by Christian revelation? The outcome of this analysis is the preparation of readers for Balthasar’s

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<sup>61</sup> For the alternative Latin ending see footnote 10 above.

<sup>62</sup> Balthasar, *Theo-Drama I*, 249. GO *Theodramatik*, 230. ‘accompanying reflection’.

subsequent reflection on the Christian religion as the definitive drama that includes both thinking and being.

In the first part of *Theo-Drama I*, Hegel is identified as the primary source of objection to Balthasar's claim that human existence is inherently dramatic.<sup>63</sup> The details of Hegel's objection to drama are less important than the manner in which Balthasar discusses them. Specifically, Balthasar claims that Hegel is partially responsible for the contemporary phenomenon of the 'loss of the framework', even though Hegel tries to repair a general 'loss of the image' in Enlightenment philosophy. In a provocative sentence, Balthasar identifies the academic disciplines of sociology and psychology as the contemporary expressions of these two problems.<sup>64</sup> Balthasar's particular criticism of Hegel is that, by accepting the 'identity of God and man', the latter is responsible for recovering the image (man) at the price of a shattering of the framework previously provided by the Christian tradition.<sup>65</sup>

This account of Balthasar's critique of Hegel casts light on the comment at the end of the German version of paragraph three that the Church must take casuistic decisions 'within the framework of the decisions of humanity'. It is possible to imagine a time – perhaps in the medieval period – when the church took decisions within a Christian framework. Today, partly as a result of Hegel's philosophy, the church is faced with a situation in which the framework has been fragmented and its casuistic task has become far harder. This is a very European account of the world. It is also quite hard to interpret. A charitable reading would be that Balthasar is proposing that the bishops of the church take up their freedom and respond to the particular questions being asked in their particular churches. To support this interpretation, however, requires a greater understanding of Balthasar's view of the papacy than we are offering in this thesis.<sup>66</sup> A less charitable reading would be that Balthasar is defending Paul VI in the context of the lingering controversy over *Humanae vitae*. Specifically, Balthasar is hinting that the loss of the Christian cultural framework is

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<sup>63</sup> Rudolf Kassner is also mentioned but, on closer inspection, is said to have provided a less sophisticated version of Hegel's objection. Balthasar, *Theo-Drama I*, 54. GO *Theodramatik*, 50.

<sup>64</sup> Balthasar, *Theo-Drama I*, 76. GO *Theodramatik*, 70. Balthasar argues that the discipline of sociology declares that the boundaries of society ('polis') are 'mutable' and, thus, undermines the tension between the community and the beyond ('the loss of the framework'). Similarly, psychology undermines the concept of the hero by declaring personality to be dependent upon known features of the individual unconscious. This eliminates the tension between the individual and the circumstance in which she finds herself ('the loss of the image').

<sup>65</sup> Balthasar, *Theo-Drama I*, 61-62 and 76. GO *Theodramatik*, 57 and 70.

<sup>66</sup> A good place to start would be Balthasar, *The Office of Peter and the Structure of the Church* (San Francisco: Ignatius, 1986). GO *Der antirömische Affekt* (Freiburg: Herder, 1974).

causing particular difficulties for the exercise of the office of the pope and that theologians should show greater sympathy.

(ii) *Section I: The fulfilment of ethical life [Sittlichkeit] in Christ (propositions 1-4)*

In the Latin version of the *Nine Propositions*, the title of Section I reads simply '[t]he fulfilment of reality in Christ'.<sup>67</sup> The interpretation of Hegel's SCF can help us to understand Balthasar's meaning here. As we have noted a number of times, in SCF 'reality' [*Wirklichkeit*] is the opposite of 'idea' and together these form the only possible division within the 'whole' of lived existence.<sup>68</sup> In this thesis we have been referring to this distinction using the terms being and thinking. Using this distinction to interpret Balthasar's title, one can see that the claim that Christ fulfils 'reality' (being) rules out the possibility that the only impact of Christ is on the way that people think. Indeed, in *Theo-Drama I* Balthasar claims that Hegel himself never managed to avoid offering an account of reconciliation which was not restricted to thinking. Specifically, Balthasar argues that Hegel's concept of 'ethical life' [*Sittlichkeit*] is merely a 'concrete, absolute (divine) idea'.<sup>69</sup> Balthasar argues that this is an improvement over the philosophical tradition which begins with Kant and deploys the concept of a 'nonconcrete absolute'.<sup>70</sup> However, Jesus Christ inaugurates the reconciliation of the world in both reality (being) and idea (thinking). Thus, when Balthasar claims in the Latin title of Section I that Christ fulfils 'reality' he is arguing that his is superior to, among many others, the account of reconciliation offered by Hegel. Christians participate in a real ethical life inaugurated by Christ, they do not merely have the idea of such an ethical life. This analysis also explains why Balthasar is able to replace 'reality' with *Sittlichkeit* in the German version without changing his meaning. The state of ethical life in reality – and not merely in thought – is the vision of a healed and reconciled world. Thus, when Jesus fulfils reality he is also establishing real ethical life.<sup>71</sup>

Another feature of the Latin title is that the term 'fulfilment' [*adimpletio*] repeats the claim in the second paragraph of the Latin preliminary note that the Gospel 'fulfils' [*adimpletio*] the Old Testament law. This latter claim is attributed to Matthew/James

<sup>67</sup> '*Adimpletio realitatis in Christo*'. For the reference to the Latin version of the text see note 51 above.

<sup>68</sup> Hegel, SCF, 187.

<sup>69</sup> Balthasar, *Theo-Drama I*, 71. GO *Theodramatik*, 66.

<sup>70</sup> Balthasar, *Theo-Drama I*, 180. GO *Theodramatik*, 163.

<sup>71</sup> A possible reason for the difference in the German and Latin formulations might be the fact that it is difficult to translate *Sittlichkeit* into Latin.

and is accompanied by the claim that Paul advocates a relationship of ‘surpassing’ [*superatio*]. The repeated use of *adimpletio* supports the previous claim that the title of Section I summarises the relationship between Old and New Testaments as found in Matthew/James, whilst the title of Section II gives a Pauline account of the same relationship.

Understanding the relationship between the first four propositions is a challenging task. Our interpretation assumes that the first proposition is the foundational claim, establishing the Mystery of Christ at the centre of Balthasar’s attempt to articulate a persuasive postconciliar moral theology. Propositions two and three then explore two themes from the first proposition in more detail: proposition two looks at the Christian ethics from the perspective of the inner fulfilment of human persons, whilst proposition three looks particularly at the new understanding of law in Christian ethics. Finally, proposition four addresses itself to the opposite of the foundational claim – the Mystery of Christ – namely, to sin. As Balthasar explains in *Glory VI*, sin ‘in the biblical sense’ is the name given to the force that is revealed by, and in opposition to, the glory of the Lord.<sup>72</sup> As the incarnation of God, Jesus Christ reveals and destroys sin in a unique and definitive way.

### *1: Christ as the concrete norm*

Christian ethics must be elaborated from Jesus Christ since, as the Son of the Father, he fulfilled the whole will of God (i.e., every “ought” [*Gesollte*]) in the world. He did this “for us”, so that from him, the fulfilled concrete norm of all ethical [*sittlichen*] action, we might receive the freedom to fulfil God’s will and to live according to our purpose [*Bestimmung*] as free children of the Father.

The title of the first proposition places the Mystery of Christ at the centre of Christian ethics. This is in conformity with the instruction of OT 16, with Balthasar’s earlier experiment in TS (see previous chapter) and with the preconciliar ‘christological shift’ in moral theology which Keenan and Gallagher attribute to Häring.<sup>73</sup> Even in TS, Balthasar is not the first theologian to consider Jesus Christ as the norm or criterion of Christian living.<sup>74</sup> However, Balthasar develops the claim

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<sup>72</sup> Balthasar, *Glory VI*, 16.

<sup>73</sup> See chapter one page 13.

<sup>74</sup> See in particular Häring, *Road to Renewal*, 24, and Enda McDonagh, “The Christian Ethic: A Community Ethic,” in L. K. Shook ed., *Renewal of Religious Structures: Proceedings of the Congress on the Theology of the Renewal of the Church, Vol. 2 Theology of Renewal* (New York: Herder and Herder, 1968): 307-308. After McDonagh presents Jesus Christ as the ‘norm’ and ‘criterion’ of



rigorously and consistently throughout his writings from this period. Thus, in TS, Balthasar claims that '[r]adiating from him ...and ceaselessly circling around his mystery, paths lead off in all directions'.<sup>75</sup> This is with reference to the plurality of accounts of Jesus Christ that can be found in the New Testament. Whilst in *Theo-Drama I* Balthasar uses the metaphor of a magnet: '[a]ll it [the reader] needs is the magnet to align the iron filings and assemble them – into a Christology, a doctrine of the Trinity, an ecclesial and Christian doctrine of how to live'.<sup>76</sup> Given Balthasar's claim in TS that 'the doctrines of the Trinity and the Church ...are both inseparable from Christology' the magnet metaphor only reaffirms that the Mystery of Christ is the centre of Balthasar's theological project.<sup>77</sup>

Having established that the Mystery of Christ is at the centre of theology and of Christian ethics, another interpretative question is to ask what it means for Christ to be a 'norm'? Balthasar's use of this term is an innovation on TS in which he referred to Christ as a 'criterion' in which one participates. Whilst there is no change in the way in which Balthasar is interpreting the Mystery of Christ, the switch to the term 'norm' shows a broadening field of view. Balthasar's use of 'criterion' in TS is a product of his engagement with the ITC work programme on 'the criteria of Christian moral knowledge'. In particular, it emphasises Balthasar's claim that there are not a plurality of criteria but a single criterion, namely, Christ. 'Norm', by contrast, alludes consciously or unconsciously to Häring's claim at the start of *The Law of Christ* (1954): 'The principle, the norm, the centre, and the goal of Christian Moral Theology is Christ.'<sup>78</sup> It also seems that 'norm' was a more common term in moral theology than 'criterion'.<sup>79</sup> Certainly, by the time Edward T. Oakes met with Balthasar to discuss moral theology in the early 1980s, Balthasar was referring to ethics as 'the problem of norms'.<sup>80</sup>

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Christian life, he claims that '...no one approach to the Christian ethic can do complete justice to the God-man relationship and the way of life it involves.' (p.310).

<sup>75</sup> Balthasar, TS, 60. GO *Die Wahrheit ist symphonisch*, 52.

<sup>76</sup> Balthasar, *Theo-Drama I*, 9. GO *Theodramatik*, 9.

<sup>77</sup> Balthasar, TS, 64. My emendations. GO *Die Wahrheit ist symphonisch*, 56. This was noted in the previous chapter.

<sup>78</sup> Häring, *The Law of Christ: Moral Theology for Priests and Laity*, trans. Edwin G. Kaiser (Westminster, MD: Newman, 1961). Cited in Keenan, "Vatican II and Theological Ethics," 170.

<sup>79</sup> (1) *Gaudium et spes* uses both: GS 16 ('objective norms') and GS 51 ('objective criteria'). (2) Delhaye claims that the title of the 1974 assembly for which Balthasar prepared his text was 'Christian morality and norms' (*Commission Théologique Internationale*, 85.) (3) The address delivered by Paul VI to the 1974 assembly has the title 'The norms for a Christian moral conscience' (*The Pope Speaks* 19.4 (1975)). It is unclear whether the term 'norm' was more common than the term 'direction' [*Weisung*].

<sup>80</sup> Edward T. Oakes, "Ethics and the Search for God's will in the thought of Hans Urs von Balthasar," *Communio* 17.3 (Fall 1990): 410.

A more interesting interpretative question, then, is what it means for the Mystery of Christ to be ‘the concrete norm’ of Christian ethics. Here the basic outline of the argument does not differ significantly from the account of the ‘criterion’ in TS. On the one hand, as Balthasar makes clear in the first paragraph of the preliminary note, one can only do Christian ethics from the perspective of Christ. This means that Jesus Christ is a norm against which one establishes whether or not one is Christian. On the other hand, the norm of Christ is open to a plurality of interpretations and, as a person called by God in Christ, one is able to respond to this norm in accordance with the bespoke demands of your individual mission.

Turning to the argument of the first proposition, which is a single sentence in German, Balthasar insists that Christ transforms *Gesollte* into Christian ethical life. This is the same transition as that from Old Testament law to Christian ethics, referred to in the second paragraph of the preliminary note and discussed briefly in the interpretation of that paragraph above.

From the prior tradition of Catholic moral theology, Balthasar’s argument can be seen to break with the discipline’s legal assumptions. In the first place, Balthasar’s argument rejects the approach of the preconciliar moral manuals to the extent that the latter pick out the legal texts from scripture as the basis for their discipline. Balthasar insists that Christian ethics must be grounded in Jesus Christ, who has surpassed or fulfilled the Old Testament Mosaic legislation. In the second place, Balthasar’s argument also breaks with the legal approach of the leading postconciliar formulations of moral theology: the ‘unchanging principles’ of the 1972 ITC propositions and the ‘objective criteria’ of the 1966 Official Report. Balthasar is fully aware that moral theologians are in danger of celebrating the demise of the “legalistic” moral manuals only to reintroduce a new absolute moral law in the name of faith in Christ (faith-ethic) or of human freedom (autonomous ethic). The events of 1972-1974 reveal that Balthasar was in a small minority of theologians on the commission who grasped the faith-ethic side of this problem, and he was the only theologian from either side who drafted a text in an attempt to overcome it. Balthasar’s unique approach has not yet been recognised in the English language secondary literature.

A deeper, and more interesting, approach to the argument is to read it in terms of Hegel’s account of law in SCF. As rehearsed on a number of occasions, Hegel argues that law is restricted to thinking and can only reconcile the world in thought. People, on the other hand, participate in both thinking and being. Thus, law is not suitable to the task of reconciling the ‘whole’ of lived existence, a task which requires the

agreement of people in both belief and practice. Hegel calls those people who understand his argument regarding the inadequacy of law “living”, and the quality of their common reconciled life is “love”.<sup>81</sup> Those people who are not alive, and this includes problematically those who participate in the Jewish spirit, place themselves under law in the sense that the latter expresses an objectivity which determines their subjectivity.<sup>82</sup> The sign that this kind of non-life is present is the use of the term ‘should’ [*sollen*].<sup>83</sup>

If Balthasar were to advance this early Hegelian account of law in the *Nine Propositions* then he would end up advocating a substantial identity between Christian ethics and stoic philosophy. By claiming that law, and the invocation of ‘right’, is nearly always a failure of love, Hegel offers a highly stoical account of love in which the suffering of unjust actions is to be actively embraced.<sup>84</sup> Only ‘when the whole of the community becomes an object of contempt’ does Hegel permit one to fight for one’s right rather than to endure.<sup>85</sup> However, even in Hegel’s ideal state, which is associated with the early teaching of Jesus, there is no suggestion that laws disappear. As we have already seen, Hegel explains that it is: ‘not that laws disappear but that they must be kept through a righteousness of a new kind, in which there is more than is in the righteousness of the sons of duty and which is more complete because it supplements the deficiency in the laws.’<sup>86</sup> This ‘righteousness of a new kind’ is a good way into Balthasar’s treatment of Christ as a norm in proposition one.

The fundamental difference between Balthasar’s and Hegel’s account of law in the first proposition turns on the former’s use of the term *Gesollte*. Hegel, it has already been noted, claims that the true reconciliation of the world, as taught by Jesus Christ, will eliminate all shoulds (*Sölle*), whilst Balthasar describes the work of Jesus Christ using a plural noun created from the past participle of *sollen* (*Gesollte*). This implies that – in contrast to the argument of Hegel in SCF – Balthasar believes that *sollen* retains a place in Christian ethics. The difference appears to be due primarily to the

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<sup>81</sup> Hegel, SCF, 215. See previous chapter pages 74-75.

<sup>82</sup> When contravening a law, on this understanding, there is thus no possibility of exception or excuse. Cf. Paul Ramsey, ‘The case of the curious exception,’ in Gene Outka and Paul Ramsey, eds., *Norm and Context in Christian Ethics* (New York: Scribner’s, 1968/London: SCM, 1969): 67-135. Hegel’s SCF, Balthasar’s *Nine Propositions* and Ramsey’s ‘curious exception’ all agree that appeal to legal exceptions is a ‘dishonest wish’ for an ‘untrue idea’ (Hegel, SCF, 228). Balthasar, following Hegel, would differ from Ramsey by insisting that Christian ethics no longer deals in absolute laws due to their being fulfilled in Christ. For Balthasar, Christian ethical life is never characterised by such one-sidedness in favour of the object.

<sup>83</sup> Hegel, SCF, 212 (‘the domination of the concept declares itself in a “*Sollen*”’) cf. 209 and 213.

<sup>84</sup> See Hegel, SCF, 235.

<sup>85</sup> Hegel, SCF, 207.

<sup>86</sup> Hegel, SCF, 214.

active role that Balthasar attributes to God and his self-revelation. Balthasar does not take Hegel's negative view of the Old Testament law, but accepts this as the determination of Israel's subjectivity by the objective (i.e. universal) revelation of God. This is a good situation, on Balthasar's account, because it opens up the possibility of knowing and responding to God. However, the situation is improved by the concrete norm of Christ because the latter makes available the possibility of participating in Christ's divine mission. Where a Christian is pursuing their divine mission, they are still responding to God, but are doing so as a unity of inclination and thought. The liberation wrought by Christ is the ability to respond to God not just by keeping the law (thought) but by also being inclined (reality) to do the will of God.

For the sake of clarity, it is worth reiterating that Balthasar considers the Old Testament biblical law to be an example of '*Gesollte*'. Thus, in *Theo-Drama I*, Balthasar contrasts the demands of 'timelessly valid laws' for Christian conduct with the ethical demand posed in the immediacy of a situation ("situation ethics").<sup>87</sup> Both of these accounts of Christian ethical conduct are transformed by the Mystery of Christ. Instead, Balthasar proposes an account of Christian ethical life that depends upon his concept of a bespoke personal mission that participates in Christ's archetypal mission. Thus, in the course of a general account of drama in *Theo-Drama I* Balthasar argues that: '[t]he "ought" [*Soll*] that burns in the hero's heart, that for which he must freely strive, is not some categorical imperative that threatens him from above; it must indwell him most intimately as his most personal task...'.<sup>88</sup> This is the kind of *sollen* which is generated by a divine mission and which Balthasar has in mind in the first proposition. Christians receive a bespoke personal *sollen*, or mission, from God. This includes the Old Testament law, in that it is consistent with the law's revelation of God's character and expectation, but it is a 'personal task' that is not restricted to either inclination or thought, but includes both. Due to the fact that all individual missions also participate, in some sense, in Christ's archetypal mission, Balthasar can also make the general claim in the first proposition that Christians 'live according to our purpose as free children of the Father'.

Balthasar's argument is sophisticated and it is worth noting that it involves a substantial account of freedom. God does not merely set a series of universal (objective) moral laws against which Christians will be measured, but provides each individual Christian with a mission that draws on their full range of skills and

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<sup>87</sup> Balthasar, *Theo-Drama I*, 28. GO *Theodramatik*, 26.

<sup>88</sup> Balthasar, *Theo-Drama I*, 359. GO *Theodramatik*, 335.

aptitudes. Nevertheless, we wonder whether Balthasar's account can be criticised for exacerbating a tendency to prioritise the community over the individual? This prioritisation is certainly evident in Hegel's SCF. Hegel's one-sided focus on the problem of individualism is evident in his treatment of community in SCF. This can be shown in two ways. First, it is noted in the previous chapter that there is an inconsistency between, on the one hand, Hegel's account of Jesus' relationship to the Jewish spirit and, on the other hand, Hegel's account of the life of love. The latter is labelled as stoical and involves the active acceptance of suffering in order to hold open the possibility of the reconciliation of the world in love. However, Hegel also approves of Jesus' decision to 'contest' [*bekämpfte*] with a Jewish spirit which could be 'overcome only by valour.'<sup>89</sup> This account prioritises the community over the individual. Hegel considers it consistent with love to contest for the common good, but inconsistent with love to contest for the individual good. Might there not be situations in which a community is colluding in the unjust treatment of an individual?

The second way in which Hegel prioritises the community is in his account of the loss of the state of nature in the flood. The primary consequence of this loss is that of disunity and all of Hegel's accounts of individuality are controlled by the need to recover community. This is most obvious in his treatment of the tower of Babel, reported in Genesis 11. Hegel offers an apocryphal account of this event, drawing on the work of Josephus, in which the tower was constructed under the direction of Nimrod. Hegel argues that Noah had tried to reconcile all of the objects in the world by positing a 'being' which was master of them (i.e. God).<sup>90</sup> In comparison to Noah's supreme 'being', the forces that caused the flood are mere thoughts and not to be feared. By contrast, Nimrod met the same problem of vulnerability with his own force. Thus, '[h]e united men after they had become mistrustful, estranged from one another, and now ready to scatter. But the unity he gave them was not a reversion to a cheerful social life [*Geselligkeit*] in which they trusted nature and one another; he kept them together indeed, but by force. ...In this battle against need, therefore, the elements, animals, and men had to endure the law of the stronger, through the law of a living being.'<sup>91</sup>

Hegel's account of Nimrod, in which the tower of Babel is built as a defence against need, is highly sophisticated. Both Noah and Nimrod are faced with a situation in which they are vulnerable due to a loss of unity. Noah responds by imagining a secure unity in the thought of a supreme being, Nimrod, by establishing one in

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<sup>89</sup> Hegel, SCF, 205.

<sup>90</sup> Hegel, SCF, 183.

<sup>91</sup> Hegel, SCF, 184.

reality, symbolised by a tower. However, scripture represents Noah as remaining loyal to God (Gen 6:9). Moreover, an orthodox doctrine of God takes him to be prior to and independent of nature. Such a claim is ruled out by Hegel in SCF who treats the 'whole' of human existence as the most basic element in his argument. Similarly, the account of the tower of Babel is presented as a communal exercise in scripture (Gen 11:3-4) and the scattering of the people as a work of God (Gen 11:8). Thus, the confusion of a particular community in a particular situation is reported in scripture as an act of love towards the individuals involved.

Hegel's account of Noah and Nimrod attributes to them greater agency than scripture. Indeed, the latter figure is imported from an apocryphal source for the purpose of taking responsibility for the tower of Babel. This attribution of responsibility results in the obfuscation of the communal dimension of social problems. This continues when Hegel comes to analyse the problems facing the Jewish spirit at the time of Jesus:

Men of commoner soul, though of strong passions, comprehended the fate of the Jewish people only partially; hence they were not calm enough either to let its waves carry them along passively and unconsciously and so just to swim with the tide or, alternatively, to await the further development necessary before a stronger power could be associated with their efforts. The result was that they outran the fermentation of the whole and fell without honour and without achievement.<sup>92</sup>

This passage maintains that for the majority of individuals, those of 'commoner soul', the options are to conform to the practices of their community or to wait for a 'stronger power'. This stronger power is expected to emerge as the result of a natural process ('fermentation') which cannot be interrupted. Hegel avoids making the Scriptural argument that a community can collude with its leaders and can share responsibility for their failings (cf. Rev 2 and 3).

There is nothing in Hegel's SCF to say that he allowed the community, or the whole, to determine the individual. Hegel is quite careful to imagine reconciliation to be a free movement by individuals into a unity of love. However, it is fair to say that Hegel is prepared to countenance the suffering of individuals (stoic) whilst he laments the suffering of the whole (disunity). This is consistent with his claim that he

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<sup>92</sup> Hegel, SCF, 205.

is particularly opposed to a 'European intellectualism' which imagines individuals as 'absolute objectivities'.<sup>93</sup>

## *2: The universality of the concrete norm*

The norm of Christ's concrete existence is personal and, as such, universal, since he makes the Father's love comprehensively and completely present to the world: he embraces all the differences between human beings and their ethical [*ethischen*] situations and unites all persons (in their uniqueness and freedom) in his own person, having authority over them in the Holy Spirit of freedom in order to lead them all into the Father's kingdom.

The second proposition elaborates on the argument of the first, that is, the part of the first proposition that deals with the new Christian ethical life that is generated and governed by the concrete norm of Jesus Christ. The proposition characterises the norm of Christ as both personal and universal, it introduces the concept of love for the first time and it refers to all three persons of the Trinity.

The first phrase of the proposition characterises the norm of Christ as both personal and universal. The previous analysis of Hegel's SCF helps one to interpret the significance of a personal, rather than a legal, norm. Legal norms, according to Hegel, are restricted to thought and are therefore an inadequate basis for the reconciliation of the world. However, Balthasar has argued that the personal norm of the 'concrete existence' of Christ is enacted in history (being) and is not restricted merely to thought. The concrete norm of Christ therefore goes beyond the distinction between thinking and being and offers a basis for reconciliation which includes both. Interestingly, the concrete norm of Christ is an option for reconciliation which Hegel himself rejects in SCF due to the problem of death. As we saw in chapter two, Hegel's principle for the reconciliation of the whole world in SCF is explicitly non-personal as it is impossible for the whole to be reconciled by someone who can die.<sup>94</sup> Balthasar's account of Christian ethical life is working in a Christian theological discourse which, unlike Hegel in SCF, does not treat death as an absolute limit on the possibility of reconciliation.

Balthasar's second characteristic for the norm of Christ in this proposition is universality. This is a point with which Hegel would agree, to the extent that any persuasive account of reconciliation is inadequate if it is only able to apply to a

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<sup>93</sup> Hegel, SCF, 300.

<sup>94</sup> Hegel, SCF, 300.

subset of the whole. However, it is also a point which raises theological questions. How does the universality of the concrete norm of Christ deepen or challenge the particular call of God to Israel through Abraham? And how does the Christian affirmation of the universality of Christ relate to other competing claims in the world about the true principle of reconciliation?

We will approach Balthasar's claim for universality by means of Balthasar's 1973 essay 'Experience of God in the Bible'.<sup>95</sup> This essay reads as a prototype for the *Nine Propositions* as it is similarly structured, dealing with the relation between the New Testament and "nonbiblical" man, as well as between the New and Old Testaments. The primary difference between EGB and the *Nine Propositions* is that the former begins from nonbiblical man and works via the Old to the New Testaments. These are presented as steps towards a fully Christian understanding of existence. In the *Nine Propositions*, by contrast, Balthasar works in the opposite direction from the concrete norm of Christ to "extrabiblical" man (propositions seven to nine).

In EGB, Balthasar makes two claims which are directly relevant to the first phrase of the proposition. Firstly, that it is the self-revelation of God in the Old Testament that reveals for the first time that God is personal.<sup>96</sup> Second, that the revelation of God to Israel has already taken on a universal dimension, with Israel standing in for the whole of humanity.<sup>97</sup> In this way, Balthasar goes on to argue that the revelation of God in Jesus Christ gives the self-revelation of God its definitive form.

According to Balthasar's argument in EGB, persons outside of the biblical revelation have what he calls a 'religious problem'. Specifically, nonbiblical man is only able to ascertain that he is not 'the whole' of existence.<sup>98</sup> There is thus no way in which nonbiblical man can work out in advance that there is a God who is personal and who created the world. For this reason, the self-revelation of the infinite and free God and the election of Israel takes on a profound significance. Where previously nonbiblical man might speculate about a God who was 'free *from* the world', Israel now encountered a God who was 'free *for* the world', taking the initiative to actively reveal himself to his chosen people.<sup>99</sup>

On this account, the 'universality' of Christ is a consequence of the sovereignty of the God who reveals himself to Israel and, through them, to the world. More specifically, universality does not originate with Christ, as the self-revelation of God

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<sup>95</sup> Balthasar, "Experience of God in the Bible" *Cistercian Studies* Vol. X Part 2 (1975): 119-126.

<sup>96</sup> Balthasar, EGB, 122.

<sup>97</sup> Balthasar, EGB, 123.

<sup>98</sup> Balthasar, EGB, 119.

<sup>99</sup> Balthasar, EGB, 121.



in the Old Testament is already opening up new possibilities of profound significance to the whole of creation. However, Christ transforms and integrates the universality found in the Old Testament – the prophets, the promise and the law – and focuses them into a single personal norm for the first time. The way in which Christ draws together and deepens the Old Testament experience of God is captured in the proposition by the claim that he makes God's love present to the world 'comprehensively and completely'.

The second phrase of the proposition refers to the embrace of all differences by Jesus Christ. This is very similar to the idea expressed by Balthasar in TS using the metaphor of a symphony. All of the players in the orchestra are different, and there is a vast array of different instruments. These are then drawn together by the conductor – Christ – and unite in the playing of a symphony.<sup>100</sup> None of the players in an orchestra lose their individuality and each is free to play their part as skilfully and beautifully as possible. However, they all depend upon the conductor for direction and coherence.

Finally, the proposition refers to the 'authority' of Christ over individual Christians in the first Trinitarian formula of the *Nine Propositions*. When interpreting this phrase it is helpful to recall Balthasar's Trinitarian account of Jesus' baptism in *Theo-Drama* III which was discussed earlier in this chapter as the point at which Jesus receives his mission from the Father. Specifically, Balthasar argued that the Mystery of Christ depends upon the action of all three persons of the Trinity: the Father is the source of the divine mission, whilst the Spirit makes the mission present to Jesus in thought (concrete plan) and inclination. The role of God the Son is to receive the mission and to give himself to it in obedience to the Father. In this context, it is possible to see how the same Trinitarian process is being imagined in the case of individual Christians in proposition two. In the case of the individual Christian they participate in the archetypal mission of the Son, hence the authority of Christ. Similarly to Christ, the mission can only be made present 'in the Holy Spirit of freedom', who gives the free and spontaneous inclination to obey the mission, as well as its concrete content at any given moment. Finally the Father stands as the source and goal of the whole drama of created existence.

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<sup>100</sup> Balthasar, TS, 7-8. GO *Die Wahrheit ist symphonisch*, 7-8.

### 3: The Christian meaning of the “golden rule”

The “golden rule” (Mt. 7:12; Lk. 6:31) in the mouth of Christ and in the context of the Sermon on the Mount can only be described as summing up the law and the prophets, because it grounds the reciprocal expectation [*Erwarten*] and offering [*Gewähren*] of the members of Christ on the gift of God (i.e., Christ). Thus, it goes beyond mere humanitarianism and involves the interpersonal exchange of divine life.

The third proposition explores in more detail the implications of Balthasar’s argument for an understanding of moral law. By choosing to talk about the “golden rule” Balthasar is addressing some of the Kantian tendencies in moral theology. Balthasar’s argument is that it is incorrect to separate moral theology from doctrinal theology in the way that Kant separates practical and pure reason and that the ITC separated the questions in their 1972 propositions on pluralism. When the Sermon on the Mount offers the golden rule as a summary of the Old Testament law (most explicit in Matthew) this must not be read as a free-standing Christian categorical imperative, independent from the concrete existence of Jesus Christ. Rather, it is only because this gospel teaching is grounded ‘on the gift of God’ that this rule can be described as a summary of the Old Testament law. The account of the Old Testament law must be redefined by the Mystery of Christ in its entirety and not merely by one scriptural teaching used in different contexts in Matthew and Luke.

The reference to Jesus Christ as the ‘gift of God’ invites questions about the way in which Balthasar is interpreting God’s Trinitarian nature. The Catholic theologian Nicholas Lash has glossed the Trinitarian principle of appropriation as holding that: ‘whatever God does which is not-God is done indefinitely by all three persons.’<sup>101</sup> According to this principle, all of the gifts of God – creating, saving, sanctifying – are given indivisibly by all three persons of the Godhead. Thus, to identify Jesus Christ as the ‘gift of God’ invites a question about whether the latter is ultimately separable from God and man. Clearly Balthasar does not separate the Son from the Father, but it would be interesting to establish in more detail why Balthasar does not say, at this point, that Jesus Christ, in his divinity, *gives himself* as the ground of a new community.

The proposition concludes with a rhetorical contrast between ‘mere humanitarianism’ and ‘interpersonal ...divine life’. This claim develops a contrast

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<sup>101</sup> Nicholas Lash, *Believing Three Ways in One God: A Reading of the Apostles’ Creed*, New Edition (London: SCM, 2002): 28.

which has been implicit in the first and second propositions between humans with faith (Christians) and humans without (non-Christians). Here, for the first time, non-Christians are given the specific categorisation of ‘mere humanitarians’. The term ‘mere’ indicates that Balthasar is presupposing that Christians are more than humanitarians. In the terms Balthasar has been seen to use in *Glory VI*, this might be because they have been “transported” by grace and are now informed by their experience of the glory of the Lord.<sup>102</sup> Whilst in the terms of *Theo-Drama III* this might be because the ‘conscious subjects’ have not been formed by the address of God.<sup>103</sup>

#### 4: Sin

Only where [*Erst wo*] God’s love goes “to the end” does human guilt manifest itself as sin, its disposition [*Gesinnung*] arising from a positively anti-godly [*widergöttlichen*] Spirit.

The brevity of the fourth proposition serves to emphasise the absurdity and meaninglessness of the human rejection of God. Balthasar is certainly not open to the charge levelled against the neo-Scholastic moral manuals by MacNamara that he ‘...had in mind only the determination of serious moral fault with a view to the confession of sins in the sacrament of penance.’<sup>104</sup> Despite its brevity, however, the account of sin which Balthasar provides can be elaborated further and shown to be determined by a number of the structural factors operative in the *Nine Propositions* as a whole.

Balthasar focuses his account of sin on Jesus Christ: “to the end” is a quotation from John 13:1. It marks an important moment in the movement of the gospel towards the passion of Christ: ‘...Jesus knew that his hour had come to depart from this world and go to the Father. Having loved his own who were in the world, he loved them to the end’ (NRSV). This passage clearly attributes love to Jesus and Balthasar does not repeat the term ‘Father’s love’ which he claims was revealed in Jesus (prop 2). Instead, consistent with the Trinitarian principle of appropriation, Balthasar argues that Jesus, in his divine nature, expresses the love of God for humankind in his acceptance of crucifixion.

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<sup>102</sup> Balthasar, *Glory VI*, 9.

<sup>103</sup> Balthasar, *Theo-Drama III*, 207.

<sup>104</sup> MacNamara, *Faith and Ethics*, 10n8 [211].

The reference to ‘human guilt’ in the first phrase highlights an important theme in the *Nine Propositions* as a whole. Quite correctly, Balthasar presupposes that ‘sin’ is the refusal of the gift of God. Thus, the council of Chalcedon added the teaching noted in the discussion of the first paragraph of the preliminary note that Jesus is ‘like us in all respects except sin’.<sup>105</sup> Jesus, who is God in his divine nature, cannot sin without denying the intimate coexistence of his divine and human natures. Hence, Balthasar’s careful claim in the preliminary note that Jesus took on the ‘guilt’ of Adam, and not his sin. Similarly, in the explanatory paragraph, Balthasar reaffirms his argument that Jesus Christ transforms the relation of Israel to the Old Testament law by arguing that sin cannot be a consequence of ‘the infringement of a mere “law” (in Judaism)...’ (4.e1). Rather, because sin is the rejection of God, the rejection of Jesus Christ is manifestly sinful.

Balthasar’s emphasis on the crucifixion of Jesus Christ (‘the end’), not forgetting his famous emphasis on the significance of Jesus’ descent into hell, repeating the Apostles’ creed, is closely involved with his account of sin. In the first paragraph of the preliminary note Balthasar draws attention to the full humanity of Jesus Christ. Balthasar also stresses the solidarity of Jesus with humankind in TS.<sup>106</sup> Thus, Balthasar appears to interpret Jesus’ willing embrace of death as the perfection of his solidarity with humankind and of the revelation of the love of God. Put another way, God is prepared to endure the meaninglessness of a finite human death in order to reveal to the world his power and desire to save humankind. This account reflects Balthasar’s insistence in the *Nine Propositions* that Christianity is the religion of real, as well as thought, reconciliation. Balthasar’s assumption that, without Jesus Christ, death is an intractable problem for humankind is made more evident in an explanatory paragraph to proposition nine in which Balthasar states that ‘...death destroys the possibility of a synthesis between the individual’s personal fulfilment and his social integration’ (9.e3). Crucial to this claim by Balthasar is that it is *only* the Christian religion which brings meaning to human existence by solving the general problem posed to all human individuals by death.

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<sup>105</sup> See note 43 above.

<sup>106</sup> Balthasar, TS, 64. GO *Die Wahrheit ist symphonisch*, 56.

## Chapter 4: Reading the *Nine Propositions* – Sections II and III

### *Section II. The Old Testament elements of the synthesis to come*

5: The promise (Abraham)

6: The law

### *Section III. Fragments of extrabiblical ethics*

7: Conscience

8: The pre-biblical natural order

9: Post-Christian anthropological ethics

The interpretation of Section I in the previous chapter sets out Balthasar's proposal for postconciliar Christian ethics. Through the gift of faith in Christ, Christians participate in the unified ethical life of the body of Christ, i.e. the church. As participants in a living body Christians are not subordinated to any objective laws but are united in their free acceptance of the personal spiritual norm of Jesus Christ (faith). This manifests itself for each person as a bespoke personal mission within the life of the body of Christ (a divine 'should'). The primary task of this chapter is to explain how Balthasar's final five propositions contribute to this account of Christian ethical life.

Balthasar's two main purposes in Section II are to show how the Old Testament marks an improvement over the previous ethical situation and to show how it anticipates the Christian ethical life which Balthasar has detailed in Section I. Then, in Section III Balthasar uses his account of ethics outside of the biblical revelation to critique the concepts of conscience, of virtue, of natural law, of natural order and of anthropology. We interpret Section III primarily as an intervention in the postconciliar debate regarding the future of moral theology and we show how these critiques all depend upon the two tasks which Balthasar has discharged in Section II.

Before offering our interpretation of these propositions, we comment on a serious problem hanging over any direct use of Hegel's critique of law. In chapter two we noted in passing that Hegel's argument in SCF is supersessionist. The fact that Balthasar's argument in Sections II and III shares similarities with Hegel's critique of law raises the question of supersessionism. In the interpretation of the propositions we show that Balthasar is clearly aware of the problem of supersessionism. However, we are not ultimately able to adjudicate on the question of supersessionism because we are unclear about whether Balthasar grants reality to the contemporary Jewish

spirit, or, indeed, to other biblical and nonbiblical religions. This is an important topic for future research.

(i) *Section II: Old Testament elements of the synthesis to come (propositions 5-6)*

The previous chapter has shown that Hegel's argument in SCF can be used to cast considerable light on Balthasar's argument in the *Nine Propositions*. As we also noted in the previous chapter, Balthasar refers to Hegel's SCF twice in *Theo-Drama I*, published the year before the *Nine Propositions* was discussed by the ITC. In both of these references to SCF, Balthasar claims that he shares Hegel's understanding of the transition from the Old to the New Testaments. In the first reference Balthasar claims that Hegel accepts 'the Christian idea of the vanquished (Jewish) duality between man and (divine, alien) fate'.<sup>1</sup> Then, in the second reference, Balthasar claims that: '[w]hile Hegel correctly describes the way the Old Covenant is transcended [*Übersteig*], the uniqueness of Jesus disappears in the dialectical process.'<sup>2</sup> Thus, on the one hand, Balthasar and Hegel apparently share an understanding of the transition from the Old to the New Testament. On the other hand, Balthasar notes that Hegel's 'dialectical process' does not retain the unique significance of Jesus.

Balthasar's claim to share his account of the transition of the Old to the New Testament with Hegel is concerning because the latter's account of the Jewish spirit is supersessionist. Thus, before offering an interpretation of propositions five and six we will rehearse Hegel's supersessionism in SCF in some detail. In diagnosing this supersessionism we have learned from the Anglican philosophical theologian Nicholas Adams to distinguish between two kinds of dialectic.<sup>3</sup> Adams draws this distinction whilst interpreting a section from Hegel's late work *Science of Logic*. In this text, Adams claims that Hegel is concerned to show that dialectic is generally put to a negative use. Negative dialectic disrupts what is the case in favour of a new and unchallenged result: the dialectician begins with an initial claim. He introduces a second claim which disrupts the first. A third claim is then added to represent the result of calling the first claim into question with the second. Negative dialectic is a good logical tool in many situations. However, the third claim is never treated critically in the way that the first and second claims are. Thus, arguments which use

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<sup>1</sup> Balthasar, *Theo-Drama I*, 72. GO *Theodramatik*, 66.

<sup>2</sup> Balthasar, *Theo-Drama I*, 456 n11 [457]. GO *Theodramatik*, 428 n11.

<sup>3</sup> The following account paraphrases Adams, *Eclipse of Grace*, 159-163.

negative dialectic presuppose the need to disrupt the initial state of affairs. Although Adams' does not make this connection, when negative dialectic is used to account for the transition from Old to New Testaments then the account is supersessionist. More generally, negative dialectic might, for polemical purposes, be called "Whiggish dialectic".

In contrast to negative dialectic, Hegel's 'logic of the concept', which we call positive dialectic in this analysis, pays greater attention to the third term. Thus, '[w]here people mistakenly see only bloody-minded opposition in dialectic, Hegel sees difference, which is the expression of relation. ... [Positive dialectic] is not the addition of a third term in a series, on the same level as the first two. It is the expression of the "unity" of the first two terms. ... This unity, this pair, is the third term'.<sup>4</sup> Adams makes clear elsewhere in his study that this positive use of dialectic is the logical tool which was adopted by the council fathers at Chalcedon, in 451 A.D., for their Christological formulation ("Chalcedonian logic").<sup>5</sup> Jesus' humanity and Jesus' divinity do not give way to a third term on the same level, but are held together, unmixed and unseparated, in a relationship of inseparable difference. We have been referring to this Chalcedonian account of Jesus, the third term in a positive dialectic of his divinity and his humanity, as the Mystery of Christ. Moreover, Adams argues that Hegel first learned to use positive dialectic from the Christian tradition.<sup>6</sup>

Hegel's *Science of Logic* was published between 1812 and 1816, whilst SCF was composed in 1798-1799.<sup>7</sup> It seems likely that Hegel developed in his understanding of dialectic in the intervening years as SCF is structured around an unresolved negative dialectic. This is the source of its supersessionism. In the first place, Hegel defines the Jewish spirit, the spirit of Abraham, as enslaved to the absolute object ('God'). Specifically, Hegel presents Abraham's separation of himself from the rest of the world as the invention of the Jewish 'fate'. Fate here has a very specific meaning. When Abraham 'snaps the bonds of communal life and love' in order to follow the absolute God, he enters into a struggle against his fate.<sup>8</sup> The reason for the battle, or the struggle, which Abraham initiates is not apparent at the start of SCF. However, it can be interpreted in the light of later parts of Hegel's argument.

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<sup>4</sup> Adams, *Eclipse of Grace*, 162.

<sup>5</sup> Adams, *Eclipse of Grace*, 6-8.

<sup>6</sup> Adams, *Eclipse of Grace*, xviii and 10. Adams specifically names the doctrine of the Trinity. This doctrine uses the same triadic logic as the formula of Chalcedon.

<sup>7</sup> Dates of *Science of Logic* given in Adams, *Eclipse of Grace*, 117. For the source of the date of SCF see chapter two, page 52.

<sup>8</sup> Hegel, SCF, 185.

According to Hegel's later description, fate is 'produced' by 'a departure from that united life which is neither regulated by law nor at variance with law'.<sup>9</sup> Abraham, it was noted in chapter two, inherits a situation in which humanity has lost confidence in nature as the result of the Noachic flood. However, rather than accept the fact that his community has reconciled with nature and awaits the reconciliation of the other human spirits (this is the Greek response of which Hegel approves<sup>10</sup>), Abraham separates himself from everything and everyone: '[t]he whole world Abraham regarded simply as his opposite'.<sup>11</sup> In doing so, Abraham destroys life. This is due to his claim that the whole of the rest of the world (apart from himself) is lifeless, sustained only by the fiat of his God. The struggle, then, is due to the fact that Abraham needs the world in order to survive but, at the same time, cannot accept that the world is alive. Thus, Abraham inconsistently plunders from the world what he needs to survive in the course of a permanent battle. The 'fate' against which Abraham struggles is thus: 'a power which he himself has armed, of an enemy made an enemy by himself.'<sup>12</sup>

Hegel's account of the Jewish spirit in SCF is grounded in this fundamental opposition between Abraham and the rest of the world. Hegel argues that Jacob later 'succumbed' to his fate (the fate of Abraham) by settling down and forming a nation. This might be taken as an admission, by Jacob, of the life that is present in the world, and as blurring the distinction between himself and the rest. However, Hegel explains that Jacob took this action 'through stress of circumstances, and by accident' and so the Jewish spirit continued to struggle against its fate even once it had formed a nation with a land.<sup>13</sup> Whenever the Jewish nation became stronger 'they exercised their dominion mercilessly with the most revolting and harshest tyranny, and utterly extirpated all life...'.<sup>14</sup> This is because they did not consider the rest of the world to be alive. Ultimately, Hegel argues that '[t]he state of independence, linked to universal hostility, could not persist; it is too opposed to nature.'<sup>15</sup> This is Hegel's account of the fragmented state in which the Jewish spirit is found at the time of Jesus. In a profoundly disturbing sentence, Hegel also claims

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<sup>9</sup> Hegel, SCF, 229.

<sup>10</sup> Hegel applauds the 'beautiful pair, Deucalion and Pyrrha, who, after the flood in their time, invited men once again to friendship with the world, to nature, made them forget their need and their hostility in joy and pleasure, made a peace of love, were the progenitors of more beautiful peoples, and made their age the mother of a new-born natural life which maintained its bloom of youth.' SCF, 184-185.

<sup>11</sup> Hegel, SCF, 187.

<sup>12</sup> Hegel, SCF, 230.

<sup>13</sup> Hegel, SCF, 189.

<sup>14</sup> Hegel, SCF, 188.

<sup>15</sup> Hegel, SCF, 202.



that '[t]he subsequent circumstances of the Jewish people up to the mean, abject, wretched circumstances in which they still are today, have all of them been simply consequences and elaborations of their original fate.'<sup>16</sup>

On Hegel's account, the Jewish spirit of Abraham is fundamentally deficient. The deficiency is generated by Abraham's decision to separate himself, in thought, from the rest of nature (world) and enter into a permanent struggle with it to establish the truth of his beliefs. This account of the Jewish determination by the absolute object forms the first term in Hegel's negative (supersessionist) dialectic to which the Christian spirit's belief in subjectivity forms the second. Indeed, Hegel explicitly identifies this dialectic when he defines 'the sole synthesis; the antitheses are the Jewish nation, on the one hand, and, on the other, the world and the rest of the human race.'<sup>17</sup> Thus, Hegel presents Jesus as a Jewish negative dialectician who reads his history in the manner just rehearsed. On the one hand, Jesus is born into the Jewish spirit and inherits a deficient (non-beautiful) state of affairs.<sup>18</sup> On the other hand, as noted in chapter three, Jesus enters into a 'contest' [*bekämpfte*] with the Jewish spirit in which 'the whole of the [Jewish] community becomes an object of contempt'.<sup>19</sup> This is because Jesus shares Hegel's analysis, just rehearsed, regarding the deficiency of the Jewish spirit. Jesus' response, representing the rest of the world, is to juxtapose 'the subjective in general' to the 'purely objective commands' which Moses had drawn out from Abraham's absolute object.<sup>20</sup> Thus, Jesus insists upon the second term of Hegel's dialectic (subjectivity), challenging the real separation of the Jewish spirit from the rest of nature.

Hegel's point is that Jesus intends to reconcile the Jewish spirit with the rest of nature, a reconciliation which Hegel glosses as 'nonpersonal living beauty'.<sup>21</sup> However, Jesus' assertion of a spirit of subjectivity against the objectivity of Jewish law is met with 'indifference...[which] soon turned into hatred.'<sup>22</sup> At this point in Hegel's account Jesus despairs and passively accepts the rule of the hostile Jewish state. From this point on his ministry is only directed at individuals.<sup>23</sup> Hegel presents this as a situation in which the Jewish state rules everything but allows Jesus and his followers the possibility of existence. A better outcome, if Jesus had been more

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<sup>16</sup> Hegel, SCF, 199.

<sup>17</sup> Hegel, SCF, 191.

<sup>18</sup> Hegel, SCF, 256. '[H]e cannot dispense with them, since he belongs to this people.'

<sup>19</sup> Hegel, SCF, 205 and 207.

<sup>20</sup> Hegel, SCF, 209.

<sup>21</sup> Hegel, SCF, 301.

<sup>22</sup> Hegel, SCF, 283

<sup>23</sup> Hegel, SCF, 283.

successful in his original fight, would have been the establishment of a new reconciled community of Jesus, his followers (who are Jewish), and the rest of the Jews, in which the opposition of the Jewish state was only a 'possibility'.<sup>24</sup> This would have been the 'synthesis' of the Jewish spirit and the world which Hegel announced as the solution to the first action of Abraham.<sup>25</sup>

Hegel's account of Jesus' disciples after the founder's death spells out the living negative dialectic. At first the new Christian community is in a state of juxtaposition with the Jewish spirit. The Christian spirit is characterised by subjectivity and the Jewish spirit, because it is characterised by objectivity, is considered to be the 'enemy'. In this situation, the Christian community is 'the extreme opposite of the Jewish spirit.' Hegel describes this as a failure to take 'the middle course of beauty between the extremes.'<sup>26</sup> Then, as noted in the previous chapter, the Christian community gradually turns Jesus into the objective representation of their spirit of unity. This is an attempt to reconcile subjectivity and objectivity. However, the Christians mistakenly introduce a permanent division into the whole of nature by their desire to be reconciled with a dead man.<sup>27</sup> Thus the Christian spirit which has dominated the history of Europe down to Hegel's time fails to resolve the synthesis of the rest of the world and the Jewish spirit. Like the Jewish spirit, the Christian spirit suffers from a severe deficiency. It is this deficiency that Hegel claims to be diagnosing and which leads him to advocate what appears to be pantheism, i.e. the worship of the spirit of life and love. As we have seen, Hegel calls this 'nonpersonal living beauty'.<sup>28</sup>

Within this account, Hegel is supersessionist towards the Jewish spirit and towards the Christian spirit in favour of his desired pantheist result. In the form of 'subjectivity' the Christian spirit is introduced to the Jewish spirit as a second term in order to generate the result of a reconciled whole. Neither the Jewish spirit (objectivity) nor the Christian spirit (subjectivity) is of any interest once this result has been produced. This is objectionable to orthodox Christians (who do not consider the worship of Jesus in his humanity to be a mistake) and to Jews.

Hegel's supersessionism raises a question as to how Balthasar would distinguish himself from the argument of SCF. The short answer is that Balthasar does not diagnose the objectivity of the Old Testament law as a mistake in the thinking of

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<sup>24</sup> Hegel, SCF, 284.

<sup>25</sup> See note 17 above.

<sup>26</sup> Hegel, SCF, 288.

<sup>27</sup> Hegel, SCF, 292-293.

<sup>28</sup> Hegel, SCF, 301.

Abraham but as the sign of a possible future reconciliation. At the same time it will be seen in Section III that Balthasar attributes a ‘religious problem’ to human nature apart from the biblical revelation.<sup>29</sup> This has the effect of reorganising the dialectic. Where Hegel moves from the Jewish spirit, to the Christian spirit, to ‘nonpersonal living beauty’, Balthasar moves from the natural spirit, to the Jewish spirit, to the Christian spirit. Moreover, Balthasar argues that the Jewish people are not defined by the objectivity of the law, but by their inclusion in the promise of God. We are optimistic that this might be sufficient to deal with the supersessionism of Judaism and Christianity in Hegel’s SCF. However, this would depend upon whether Balthasar considers the contemporary Jewish spirit to be a real way of reconciling the world, or whether, like Hegel, he considers it to be necessarily deficient to the task. There is not enough evidence in the *Nine Propositions* to be sure as Balthasar makes no comment on other biblical religions (and only refers to nonbiblical religions in passing in 8.e3). We must leave the final adjudication of this question to future researchers.

#### *5: The promise (Abraham)*

The ethical [*sittliche*] subject (Abraham) is constituted by the call of God and by obedience to this call (Heb 11:8).

1. Following the act of obedience, the inner meaning of the call shows itself to be an unimaginable, universal promise (“all nations”, yet concentrated in a personal way: *semini tuo*, Gal 3:16). The name of him who is obedient is identical with his mission (Gen 17:1-8); since both promise and fulfilment come from God, Abraham is given a supernatural fruitfulness.
2. Obedience is faith in God and hence the appropriate response (Gen 15:6), involving not only the spirit, but the flesh also (Gen 17:13). Thus, obedience must go to the lengths of giving back the fruit that grace had bestowed (Gen 22).
3. Abraham exists in an obedience that, looking up to the (unattainable) stars, awaits what has been promised.

[5] As mentioned in the introduction, Balthasar offers a theological account of the relationship between Old and New Testaments. This differs considerably from Hegel’s philosophical account in SCF. These differences can be described in at least two ways. Firstly, they can be described as an assertion of the sovereignty of God.

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<sup>29</sup> The term ‘religious problem’ is taken from Balthasar, EGB, 120.

The Methodist theologian Stephen Wigley suggests that Balthasar owes his account of the Old Testament to Karl Barth.<sup>30</sup> Whilst this claim sounds plausible, we will not examine it in any detail.

The second way of describing the supplement is as an example of what we will call positive theology. As we have noted on a number of occasions in this thesis, Hegel offers a privative account of evil in SCF. Before the Noahic flood, nature (the 'whole') is in harmony. After the flood, human beings lose their faith in nature: they confront one another with hostility and adopt a number of inadequate approaches to reconciliation. Thus, Hegel's account of salvation involves human beings acting out of love rather than hostility. This assumes that all the problems in the world are negative; they are privations on an otherwise harmonious natural unity. Balthasar supplements this negative account by allowing God a positive role. This can be used to correct Hegel's claim that God cannot have personality because he cannot stand in opposition to humanity.<sup>31</sup> Balthasar interprets the self-revelation of God in the Old Testament as precisely that, a relationship of opposition between divinity and humanity, and suggests that it poses a question for human beings. Do we accept or reject the people of God (Old Testament), and do we accept or reject Jesus Christ (New Testament)?

Balthasar's oppositional approach to salvation-history gives a very different account of Abraham than that provided by Hegel. Whilst Abraham is separated from the rest of the world, this is not as a result of abstraction from life and enslavement to his own absolute Object, but as a result of his transportation into a relationship with the sovereign and personal God. This differs from Hegel's account of the problem facing the Jewish spirit. The new problem is that of a new concept of personhood, of which Abraham is the first example. This personhood is defined by God, after his own image, which is revealed by his "great deeds" for Israel. God's great deeds are subsequently summarised in the law. A point of similarity between Balthasar and Hegel, then, is that the law (which is restricted to thought) is an inadequate basis for reconciliation. However, on Balthasar's theological argument, this law is both an inadequate basis for reconciliation (anticipating the New Testament) and an

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<sup>30</sup> Wigley cites 'The Eternity and Glory of God' in Barth's *Church Dogmatics* II.1 as a major influence on Balthasar's, *The Glory of the Lord* VI: *Theology: Old Covenant* (Edinburgh: T&T Clark, 1991). (The German original of Balthasar's text was published in 1967.) Wigley, *Balthasar's Trilogy: A Readers Guide* (London: Continuum, 2010): 63. This is consistent with the private observation of Karl Barth in 1941 after Balthasar had sat in on a seminar on the Council of Trent: '...there was no really impressive counter-attack. Perhaps he had been reading my Dogmatics too much (he dragged around II/1 especially, in his briefcase, like a cat carrying a kitten).' Cited in Eberhard Busch, *Karl Barth: His Life from Letters and Autobiographical Fragments* (London: SCM, 1976): 302.

<sup>31</sup> Hegel, SCF, 271.

improvement on the previous situation in which the reconciliation of person and community was not even available as a desire (surpassing the natural human spirit).

Like the Old Testament law, the definition of personhood also has two dimensions. On the one hand, Abraham is freed from his previous distraction and given a mission from God which is utterly fulfilling. On the other hand, Abraham is also a prefiguration of Jesus Christ who is the Second Adam. This latter point means that Balthasar must safeguard the future significance of Christ by showing how the Old Testament figure of Abraham is not yet able to participate fully in a unified ethical life. In the text of proposition five Balthasar approaches this complex task in a number of ways. Firstly, God is referred to in proposition five in his Triunity, respecting the principle of appropriation. However, as noted in the interpretation of Section I, Jesus Christ is said to be ‘the archetype of perfect obedience to God the Father’ (2.e1). Thus, the obedience that Abraham shows to the Triune God shadows a more intimate obedience to the Father inaugurated by Jesus Christ. This distinguishes the levels of intimacy with God available to Old Testament Israel and to Christians. Without this change of levels, Balthasar cannot maintain the significance of the work of Christ. Secondly, Balthasar refuses to use the term ‘love’ in Section II, emphasising that it is only with Jesus Christ, ‘who makes the Father’s love comprehensively and completely present to the world’ (2), that love becomes evident to the world. Thirdly, Balthasar’s account of Abraham shadows events in the life of Christ. Thus, 5.1 shadows the advent of Christ, 5.2 shadows the passion of Christ, and 5.3 shadows the Christian eschatological expectation. Finally, it is also possible to read the sections in terms of the Pauline triad of 1 Cor 13:13: ‘faith, hope and love’. In this case, Balthasar takes them in the order ‘love’ (5.1), ‘faith’ (5.2) and ‘hope’ (5.3). However, Balthasar does not actually use the terms ‘love’ and ‘hope’ as that would fail to emphasise the distinction between Old and New Testaments. The only exception is ‘faith’ which Balthasar cannot avoid using because it is clearly attributed to Abraham in Hebrews 11.

The various argumentative requirements which Balthasar places on the story of Abraham – God’s invention of personhood and the anticipation of Christian ethical life – exerts a heavy influence on Balthasar’s interpretation of scripture. In particular, Balthasar’s reference to the ‘obedience’ of Abraham in Heb 11:8 is not a good summary of this New Testament passage. The main point of the writer to the Hebrews is to remind his readers that Abraham believed the promise of God (faith). Out of this account, Balthasar picks the single reference to Abraham’s obedience

because it fits with his claim that the Old Testament experience is only an anticipation of the full loving participation in God's life made available in Christ.

[5.1] This section of the proposition has just been identified as the anticipation of the advent of Christ and of love. These themes are indicated by the sudden appearance of God and by the discussion of the depth and generosity of the promise which Abraham receives. Moreover, the reference to Gal 3:16 alludes to Paul's argument that the language of the promise anticipates Jesus Christ.<sup>32</sup> Specifically, God promises the land of Canaan to Abraham and his offspring, where offspring is used in the singular, suggesting a particular descendent. God also promises, in Gen 18:18 and 22:18 that all of the nations of the earth will be blessed through Abraham and his descendants. Thus, Balthasar shows that his interpretation of the Old Testament in Section II can find scriptural support.

Balthasar's reference to the name of Abraham (changed from Abram during the bestowal of the promise) explicitly invokes his theology of mission. Mission, understood as the gift of a divine 'should', is the form whereby the person participates in Christian ethical life (Section I). The ascription of names is a regular interest of scripture, from Adam's naming of the animals (Gen 2:19), to God's naming of Abraham (Gen 17:5), through Jesus naming of Peter (Mk 3:16; Lk 6:14; Jn 1:42), to the unique names handed out by God to 'those who overcome' (Rev 2:17). Balthasar's Christian definition of a bespoke divine 'should' might be understood best in terms of the latter. In the case of Abraham, the particular mission is part of his prefiguration of Jesus Christ, who completes the definitive mission.

The final phrase of 5.1 might be read as an allusion to OT 16. In the discussion of the preliminary note in chapter three it was suggested that Balthasar can only talk about Christian obligation in terms of a bespoke personal mission from God. However, the reference to obligation in OT 16, a curious variant of Häring's reported draft text, might be read as though there are a set of duties, or at least a duty, which is imposed on Christians as a consequence of their faith. This is incorrect because God's mission requires the full participation of the entire person (the holy Spirit provides that there is no need to sacrifice inclination in order to pursue it as a duty). This point is substantiated in proposition five where Balthasar places Abraham's mission within the context of the wider work of God. It is God who promises to make the mission satisfying and it is a 'supernatural fruitfulness' that results. Whilst Abraham is fully engaged in acting out his mission, and whilst his actions are not empty, the ultimate

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<sup>32</sup> Balthasar's quotation '*semini tuo*' appears to be from the Vulgate version of Galatians 3:16. The words can also be found at Gen 12:7, 13:5, 17:8, 24:7.

success of the mission is the gift of God. In terms of scripture, Balthasar's reference to fruitfulness is grounded in God's promise to Abraham in Gen 17:6 that he 'will make you exceedingly fruitful' (NRSV).

[5.2] This section of the proposition has been identified as the anticipation of the passion and crucifixion of Christ (in the history of Christ) and of faith (in the Pauline triad). The reference to Gen 22 shows that Balthasar is drawing a parallel between the story of Abraham and Isaac and the death of Christ. The approach taken by Abraham in obedience to God is the approach taken by God the Father when he gives up his Son to death on the Cross. The ethical point, here, would seem to be that God asks Abraham (before the event) to do what he himself will do in his greatest deed. However, it might also be related to the point in *Theo-Drama I* where Balthasar refers to the occasional requirement of an act of obedience as 'indispensable if we are to call an act genuinely human'.<sup>33</sup> It is thus a kind of real baptism into the covenant with God.

There is no mention of obedience in Gen 15:6, only of the righteousness of Abraham's belief. Balthasar's gloss on this passage would seem to be determined by his claim that God gives spiritual 'shoulds' to humankind. The converse of a spiritual 'should' is necessarily spiritual obedience. However, it is only sin – the rejection of God and life – that is not included within the bespoke personal mission. The middle reference to Gen 17:13 establishes that belief or faith in God does not divide the human person in the manner of duty or law. Thus, Abraham's obedience is entire, including his spirit and his body.

[5.3] This section of the proposition has been identified as the anticipation of the Christian eschatological expectation and of hope. The metaphor of the stars is developed imaginatively to reiterate the point that the fulfilment of God's promise to Abraham awaits a fulfilment which only God can provide.

#### 6: *The law*

The giving of the law at Sinai goes beyond the promise to Abraham in that – though in a provisional manner, from outside and above [*außen und oben*] – it expressly reveals God's inner disposition [*Gesinnung*] in order to deepen the covenant response to him: "I am holy, so you should [*sollt*] also be holy" [Lev 19:2]. This "should", which is grounded in God's inner being, has man's inner disposition in view. That man can respond to this "should" follows from the absolute

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<sup>33</sup> Balthasar, *Theo-Drama I*, 419. GO *Theodramatik*, 392.

truthfulness of the God who offers man the covenant (Rom 7:12). This truthfulness is not matched by the same absolute truthfulness on the part of man; it is only latent in the promise (to Abraham) that is announced in a new and more precise form as a prophetic promise.

The context of the sixth proposition is a development of the fifth. The law that is given at Sinai goes ‘beyond the promise’ in order ‘to deepen the covenant response to [God]’. Thus, the law results in the promise being ‘announced in a new and more precise form as a prophetic promise’. This reflects the theological claim that the Old Testament covenant is part of the single work of the triune God. The change is part of a progressive self-revelation by God to humankind in preparation for the ultimate revelation in Jesus Christ.

However, as noted earlier, God’s revelation of himself to humankind through Israel produces, in the first instance, a ‘two-sided’ spirit. In the case of the promise to Abraham the two sides are God and the individual person. This contrast is then sharpened (‘deepened’) by the definition of God’s ‘inner disposition’ on the basis of his great deeds. (Balthasar notes in the first explanatory paragraph that this is not a case of imitating the essence of God but of ‘responding to his conduct as manifested in his “great deeds” toward Israel’ (6.e1).) However, in expressing the main features of these deeds in law (a form of thought) it becomes clear that the promise is “prophetic” because it speaks of a necessary future unification of inclination and duty in the people of God.

The formulation of the Old Testament law which Balthasar offers shares similarities with Hegel’s account of fate and of law in SCF. In proposition five, Balthasar’s argument is comparable to Hegel’s account of fate as the opposition between life and life. According to Balthasar, God’s call to Abraham is the call from personal life (God) to new personal life (Abraham). It is the beginning of salvation-history: God’s reconciliation of all created life within the ethical life of the church. However, the problem of the guilt of Abraham and his posterity is revealed once the law implicit in God’s saving “great deeds” is spelled out. Thus, Balthasar insists that law is second to life (being). The law given to Moses on Sinai specifies in thought the kind of “person” that God is and thus the kind of persons that he is calling Israel to be.

The second half of the proposition elaborates on the situation after the giving of the law on Sinai. The law offers to Israel a path out of their guilt into the unified ethical life of God. Balthasar argues that this is asserted by God in Leviticus 19:2, supported by the latter’s ‘absolute truthfulness’. In *Theo-Drama I*, Balthasar states that: ‘the



perception maybe beautiful and the utterance true, but only the act can be good.’<sup>34</sup> Thus, despite the fact that Rom 7:12 describes the law as ‘just and good’, Balthasar uses the word ‘truthfulness’ in order to distinguish between law and action. This is another example of Balthasar’s argumentative concerns heavily determining his reading of scripture. By referring to ‘truthfulness’ Balthasar is pointing out that laws are utterances (i.e. they are restricted to thinking) and require complementing by good action. Then, in highlighting God’s ‘absolute truthfulness’, Balthasar provides his interpretation of Rom 7:12, claiming that this particular law is a flawless guide to the good human action that would reconcile the world.

The absence of ‘absolute truthfulness’ on the part of man signifies the emergence of ‘guilt’. The problem is not simply that man fails to do the good set out in the law, but that he promises, in the form of Israel, that he will do this good. That is, the covenant is an agreement in thought that is intended to reconcile man and God. By not acting in accordance with his word, man shows that he is untruthful and incurs guilt. In an explanatory paragraph to the fourth proposition, Balthasar points out that ‘the infringement of a mere “law”’ (4.e1) is the source of guilt in Jewish history. This is obviously highly problematic as an account of Judaism. However, it forms part of Balthasar’s argument that the guilt revealed by the law is transformed, or revealed to be, sin when humankind rejects God in Christ.

This interpretation of proposition six has seen that Balthasar’s account of the Old Testament law shares some similarities with Hegel’s argument in SCF. Balthasar shares the view that Israel is determined by its law, he shares the view that ‘law’ only allows reconciliation in thought and he shares the view that such laws generate a ‘should’. However, Balthasar does not repeat Hegel in calling the Israelites enslaved. Quite the reverse, Balthasar treats the ‘law’ as a gift from God which improves the human situation. Specifically, the call of Abraham and the subsequent law provides a way and a desire for humankind to become reconciled with each other and with God. This is not previously available as humanity was not aware of the problem of the relationship between the individual and the community (because there was no account of the person) or of the availability of the creator and sustainer of the world for personal relationship. God has therefore raised the human situation by revealing himself in this, in retrospect provisional, way.

The implications of Balthasar’s argument are twofold. Firstly, Balthasar would presumably dispute Hegel’s assumption that humanity has the power to reconcile themselves with nature. Balthasar argues that, in the absence of the divine law which

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<sup>34</sup> Balthasar, *Theo-Drama* I, 18. *GO Theodramatik*, 18.

reveals certain spiritual pathologies, humanity would necessarily remain in a state of mutual hostility. This is Balthasar's incorporation of the doctrine of original sin. However, it is also required by the inability of Israel to keep the law.

Secondly, Balthasar would dispute Hegel's claim that 'should' is always an obstacle to reconciliation. Where the 'should' is divine, which means that it is 'grounded in God's inner being', then it is a source of life. Whilst Balthasar might accept Hegel's critique of law, he would reject Hegel's claim that there is no moral 'should'. This has already been observed in the discussion of proposition one in the previous chapter where Balthasar claimed that Jesus eliminated all '*Gesollte*' rather than all '*Sölle*'. Instead, Balthasar argues that the gift of the law to Israel is also the revelation of the inadequacy of the present human disposition. Thus, at the same time as raising Israel's hopes regarding the reconciliation of person and community, God also reveals a problem which will only be resolved in Jesus Christ. In Jesus Christ, God provides a mission and (made present by the Spirit) the unity of duty and inclination required to fulfil it. Thus, the holy Spirit gives a "should" (mission) in which there is no internal division. If one looks at these missions from the perspective of the law, one will see that they conform to the law, but this law has been fulfilled so far as the Christian person is concerned. Their mission draws, in the most satisfactory way, on their entire person, and in constellation with other missions, forms the united divine ethical life of the Church. Offering resistance to God's gift of a mission becomes, then, the definition of sin.

In the third explanatory paragraph of proposition six Balthasar claims that there is a recognisable distinction between Old Testament ethics and nonbiblical natural ethics. This distinction is determined by theological concerns. As has been seen, Balthasar appears to avoid supersessionism by defining a role for the Old Testament that is superior to nonbiblical ethics such as can be found (in Hegel's SCF) in the Greek spirit. However, in identifying a particular insight (personhood) with the call of Abraham, Balthasar is making a neo-Scholastic claim. Personhood is latent in creation in a vague form but is only made explicit by the call of God. Moreover, in the context of *Theo-Drama I*, Balthasar is happy to express this Old Testament insight in philosophical terms:

...man's conscience must be in touch with things as they are: the two poles, personal inwardness on the one hand and relation to one's environment and one's fellow men on the other (the poles of conscience and norm), are necessary if we are to have a starting point indicating both the

imperfectability of all intramundane Good and the direction in which we must seek the transcendental, absolute norm.<sup>35</sup>

This passage joins the interpretation of proposition seven below with the discussion in Section II. Balthasar's concern in this passage is that '[m]odern heroes do not seek an absolute Good...'. This is literary criticism on the basis of Balthasar's theology. The absolute Good is to do the work of God which is completed in individual personal missions, participating in the archetypal mission of Jesus Christ. However, Balthasar is talking about modern drama in which 'faith in the promise fulfilled' has disappeared. So Balthasar instead sets out the Old Testament position which hoped for, and awaits, the fulfilment of the promise to Abraham. (The active verb 'seek' reflects the fact that modern drama takes place after the fulfilment of the Old Testament promise.) Unsurprisingly, this Old Testament position is dualistic, contrasting 'personal inwardness' and 'relation to one's environment and one's fellow men'. These are equivalent to the definition of personality (proposition five) and the specification of a law (proposition six).

In this passage the pairs of terms conscience/norm and personal inwardness/relation to environment and men are synonymous. The neo-Scholastic claim is that they mirror the distinction which Balthasar has just been seen to draw in Section II of the *Nine Propositions*. Thus, the Old Testament dualism is a basis on which to correct the radical openness (fragmentation) of modern drama, and draw it back in the direction of Christian ethics. Once the distinction between conscience/norm has been accepted then the Old Testament can be read. Once the Old Testament can be read then Jesus Christ can be seen to be the fulfilment.

A more surprising feature of Balthasar's argument is the fact that conscience and norm are paired with one another when, in the *Nine Propositions*, they are separated. Jesus Christ is the 'norm' (proposition one) and 'conscience' is extrabiblical (proposition seven). Balthasar's reason for placing 'conscience' in Section III will be shown below to depend upon his dispute with the ITC propositions of 1972. However, the passage from *Theo-Drama I* draws attention to the fact that the emphasis of Section I is on norm rather than conscience. As Balthasar makes clear in the explanatory paragraphs, the norm of Christ can only be interpreted with the eyes of the Spirit (1.e2n – 'divinity'). This is the pole of 'norm' (nonbiblical) or 'law' (Old Testament). On the other hand, the norm of Christ 'makes himself present as the sole norm in every particular relationship, in every situation' (3.e3). This is the pole of 'conscience' (nonbiblical) or 'Promise' (Old Testament). However, whilst

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<sup>35</sup> Balthasar, *Theo-Drama I*, 423. GO *Theodramatik*, 396.

Balthasar clearly believes that norm and conscience, Promise and law, are reconciled within the ethical life of the Church, the propositions in Section I emphasise the pole of 'norm' and 'law'. This may be due to a concern which Balthasar had to emphasise the continuing relevance of external order in a period of church history when the freedom of the individual Christian was receiving attention and generating some anxiety and conflict.

A final comment to make on proposition six relates to Balthasar's taxonomy of nineteenth and twentieth century ethics in the second explanatory paragraph. This is Balthasar's main engagement with philosophy as he only makes a single (oblique) reference to any philosopher in the text of the propositions themselves (proposition seven below). As noted at the start of the previous chapter, it is also a re-authored version of Hegel's taxonomy of sects in Second Temple Judaism in SCF. Hegel's taxonomy is generated by the fragmentation of the Jewish spirit under the pressure of its battle with the rest of nature. As noted above, Hegel argues that the Jewish spirit was simply 'too opposed to nature' to be able to continue in its original form.<sup>36</sup> Hegel goes on to argue that the Second Temple sects were a consequence of this real fragmentation: '[t]o flee from this grim reality, men sought consolation in ideas...'. Hegel lists the 'ordinary Jews', the Pharisees, the Sadducees and the Essenes. Each of these groups marks an attempt in thought to avoid admitting the real elimination of the distinction between the Jews and the rest of the world. Thus, the ordinary Jews sought consolation 'in the hope of the coming Messiah; the Pharisees sought it in the business of serving and doing the will of the objective Being... the Sadducees sought it in the entire multiplicity of their existence .... [and] the Essenes sought it in an eternal entity, in a fraternity which would ban all property...'.<sup>37</sup>

In Balthasar's explanatory paragraph to proposition six the Pharisees, Sadducees and Essenes are replaced by neo-Kantianism/Scheler/Kant (6.e2a), Kafka/Bloch/Freud (6.e2b) and Marx (6.e2c). The influence of Hegel's text is evident in the critique that Balthasar offers to each of these groups, (he even includes the Pharisees in 6.e2a). In the case of Hegel's taxonomy, the sects are all attempts in thought to suppress the real disintegration of the Jewish spirit. Thus, by taking over this taxonomy Balthasar argues that the nineteenth and twentieth century ethics which he discusses are attempts in thought to suppress the real disintegration of the Christian spirit. However, Balthasar slightly alters the argument. For Hegel, the Jewish sects are inadequate to the task of reconciling the Jewish spirit with the rest of the world in

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<sup>36</sup> Hegel, SCF, 202.

<sup>37</sup> Hegel, SCF, 203.

reality (the task which, in Hegel's account, Jesus attempts.) For Balthasar, however, the modern attempts to think about ethics are caricatures of Old Testament ethics. They have lost faith in Jesus Christ, but they recognise the concept of guilt which has been taught to humanity by God through the Old Testament. Thus, they attest indirectly to Christian ethical life: Kantians recognise a law which forms the community, but in doing so suppress inclination in the name of duty. This is the way of the Pharisees in Hegel's taxonomy. Kafka/Bloch/Freud dissolve the law 'into the flux of the movement of promise and hope' (6.e2b). Like Hegel's Sadducees, this sees them as giving up on the problem of the community and moving aimlessly from one situation to the next. Finally, Marx follows the Essenes by seeking the reconciliation of the world in the 'human collective', effectively abolishing the 'uniqueness of the person' which is made definitive in Christ. Like Hegel, Balthasar presents all of these scholars as offering inadequate alternatives (in thought) to the real reconciliation of the world in Jesus Christ. However, rather than claiming that these scholars are all merely consoling themselves in thought, Balthasar affirms their concern with guilt as an echo of God's revelation through Abraham and Israel.

(ii) *Section III: Fragments of extrabiblical ethics (propositions 7-9)*

On first reading, the use of the term 'fragments' in the title of Section III can be difficult to interpret. The metaphor of an orchestra, which was introduced in the discussion of Balthasar's TS in chapter two, can be of some assistance. In this metaphor, Balthasar imagines the world of human existence as an orchestra which has just taken its seat. The players start to play to themselves before someone strikes an A on the piano and the cacophony begins to attune to this note. Balthasar explicitly links this note to the emergence of the promise of God to Abraham and offers the scene as a metaphor for the history of the world.<sup>38</sup> Using this metaphor, the 'fragments' in Section III can be read as fragments of music from particular players or sections of the orchestra which are not yet attuned either to the promise of God, or to its fulfilment in the mystery of Christ.

Another avenue for interpretation is to compare Balthasar's use of 'fragments' in Section III with Hegel's account of world history in SCF. Where Balthasar's metaphor of an orchestra opens in a situation of discord, Hegel gives an account of the discord's origin. Specifically, Hegel argues that humanity disintegrated into hostile groups following the loss of the state of nature in the Noahic flood. Immediately following this flood humankind '...strove by various ways to revert

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<sup>38</sup> Balthasar, TS, 7-8. GO *Die Wahrheit ist symphonisch*, 7-8.

from barbarism... to[wards] the unity which had been broken...'.<sup>39</sup> Hegel can only imagine one 'way' which can succeed in this task, namely the philosophy of love. This way is identified by Jesus Christ, although neither he, nor his followers, are able to realise the reconciliation of the world. Hegel contrasts this way of love, in SCF, with many other 'ways' which are inadequate in some manner or another. In rehearsing this account, it is interesting to note that both Balthasar and Hegel imagine a world comprising fragments (Balthasar) or ways (Hegel) which fail to reconcile the whole. This account of Balthasar's fragments was suggested in a preliminary way earlier in the thesis when we referred to Section III as a catalogue of the more interesting inadequate 'ways' to reconcile the world. Where Balthasar's *Nine Propositions* and Hegel's SCF can be clearly distinguished, of course, is in their concept of the path to reconciliation. This is the way of love as made possible by Christ's real existence (Balthasar) compared to the life of love taught by Jesus (Hegel).

There are, however, two further complications when interpreting Balthasar's fragments in Section III. The first of these arises from Balthasar's claim in the third paragraph of the preliminary note that the three kinds of ethics discussed in Section III are historically prior to the Christian revelation. This is flatly contradicted by the presence of the 'post-Christian' proposition nine. This proposition is definitely not an attempt to reconcile the world that started before the biblical revelation, not least because it makes reference to the term 'person,' the invention of which is a consequence of God's call to Abraham. This led us to suggest that Balthasar's claim should be interpreted in terms of the theological significance of the propositions, rather than in terms of historical chronology. Like propositions seven and eight, proposition nine is *theologically* prior to Old Testament ethics because it takes no account of the biblical revelation. This means that the chronological location of the final three propositions will be determined by their content: proposition eight is pre-biblical, proposition nine is post-Christian, whilst proposition seven applies to the whole of history.

Recalling our analysis in the second section of chapter two, it is possible to say a little more about the difference between Balthasar's and Hegel's use of the concept of fragments and their proposals for the reconciliation of the world. In *Theo-Drama I* Balthasar claims that Hegel's philosophy of love is only capable of reconciling the world in thought not in reality (being). Christianity can repair this lack because Jesus Christ, the fully human concrete norm, provides a concrete instantiation of divine

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<sup>39</sup> Hegel, SCF, 182. My emendations. Repeated from previous chapter page 117.

love. This argument lies behind Balthasar's claim in the second paragraph of the preliminary note that salvation-history is the 'unique way' to reconcile the world. The consequence for our interpretation of Section III is that Balthasar does not, in fact, consider that there are any alternative 'ways' to reconcile the world, in the sense of real groups of people forming around alternative approaches. Apart from the Christian church, there are only groups of people who are seeking 'consolation in ideas' like the sects of second temple Judaism.<sup>40</sup> These sects are characterised by a dependence upon the Jewish spirit but each fails in a different way to grasp the whole of this spirit and the relationship to the rest of the world.

The critique of Hegel in *Theo-Drama I*, and the lack of reference to non-Christian religions in the *Nine Propositions*, hints that, for Balthasar, 'reality' is only present explicitly in the Church, with the possible exception of other 'biblical' religions. This suggestion is highly problematic.<sup>41</sup> However, we will not examine it further in this thesis. We will instead focus on interpreting what we consider to be Balthasar's primary aim in Section III, namely, to comment on the debate regarding the future of postconciliar moral theology. In other words, whilst Balthasar presents Section III as a comment on the world beyond the borders of the church, we propose that his primary concern remains the question of the future of moral theology. This is a suitable aim for a text which is being proposed as a mini-constitution for postconciliar moral theology. Balthasar approaches this task by attributing accounts of Christian ethics that he considers to be inadequate to non-Christians. This is a similar approach to that which Balthasar adopted towards the neo-Scholastic moral manuals which he criticised by means of his discussion of Old Testament ethics. In this case, Balthasar pursues critiques of conscience, natural law and (implicitly) virtue ethics (proposition seven), natural order ethics (proposition eight) and anthropological ethics (proposition nine).

Balthasar's approach might seem a little strange and is easy to misunderstand. It is important therefore to recognise, and we will try to explicate, that Balthasar is engaged in an argument against the use of these various fragments, he is not simply declaring them to be non-Christian. The basis of the argument is that the various fragments are 'ideas' which fail to grasp the whole of Christian ethics, i.e. the Christian ethical life of Section I. Moreover, Balthasar hints that this ethical life is the understanding of Christian ethics that has been believed throughout the history of

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<sup>40</sup> Hegel, SCF, 203.

<sup>41</sup> In 8.e3 Balthasar refers to 'nonbiblical religions and ethical systems' which suggests that he might grant Judaism and Islam the status of 'ways'.

the church.<sup>42</sup> In light of these arguments, the main reason that Balthasar adopts such an indirect approach would appear to be, first, because he does not want himself, or the ITC, to get drawn into a public confrontation and, second, because he does not wish to provide a text which can be used by the CDF to launch disciplinary investigations (should it be adopted).

In concluding this discussion of Balthasar's purpose in Section III, we will comment briefly on Balthasar's use of the unusual term 'extrabiblical'. The term 'extra' invokes a substantial debate at the council which originated in a memo by Cardinal Suenens in March 1962.<sup>43</sup> In this memo, Suenens argues that the council has to address the church '*ad extra*, that is the Church as it faces the world of today ...[and] *ad intra*, that is the Church in itself...'.<sup>44</sup> This pair of terms is often referred to over the years of the council and will have been very familiar to Balthasar's fellow commission members. Balthasar, however, puts a different meaning on the term when, in the title of Section III, he does not adopt the perspective of the church as looking towards the world ('*ad extra*'), but talks about the world which stands outside ('*extra*') and against the church. This reflects a residual commitment to the neo-Scholastic division between an order of nature and an order of grace (not, it must be stressed, natural and biblical law).

Balthasar's residual neo-Scholasticism will be discussed further in our interpretation of proposition seven. For the moment we recall our argument in chapter three that Balthasar's 1973 essay EGB can be read as a prototype for the *Nine Propositions*. Like the *Nine Propositions*, EGB is divided into three sections, although the order is reversed. The sections of EGB are described as nonbiblical, Old Testament and New Testament.<sup>45</sup> Thus, Balthasar begins his essay with what he claims to be the 'nonbiblical' experience of God and concludes with the experience of God in the Christian New Testament. What, then, provokes Balthasar to replace the term 'nonbiblical' in EGB with the term 'extrabiblical' in the *Nine Propositions*? We suggest that the term 'extrabiblical' is a more historical term which allows for Balthasar's claim in the *Nine Propositions* that the biblical revelation has an effect beyond the boundaries of the church. The suggestion is that there is not a single 'nonbiblical' ethics which can be compared with biblical ethics, but a series of fragments of ethics which have different relationships to the biblical revelation. For

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<sup>42</sup> Balthasar, TS, 82-83. GO *Die Wahrheit ist symphonisch*, 72.

<sup>43</sup> "Memo from Cardinal Suenens to Pope John XXIII," March 1962. Reprinted in "A plan for the whole council," in *Vatican II by those who were there*, edited by Alberic Stacpoole (London: Geoffrey Chapman, 1986): 88-91.

<sup>44</sup> Suenens, "A plan," 88-91.

<sup>45</sup> Balthasar, EGB, 119 ('non-biblical man'), 121 and 123.



example, proposition nine refers to a ‘post-Christian’ ethics which has only come into existence as a consequence of the biblical revelation. On this account, ‘extrabiblical’ is a more suitable term for fragments of ethics which do not confess Christ, but which have nevertheless been obliquely influenced by him. However this historical connotation, which draws attention to the historical location of the three propositions as kinds of ‘way,’ is not entirely representative of the section. Balthasar retains a neo-Scholastic account of a parallel between a natural experience of a religious problem and the Christian experience of the triune God.

### 7: Conscience

1. (Extrabiblical) man awakes to theoretico-practical self-consciousness thanks to a free and loving call on the part of his fellow man. In responding, he experiences (in the *cogito/sum*) both the perspicuity [*Gelichtetsein*] of reality as such (which is true and good), which in opening itself up sets man free, and the fact that his freedom has a social character.\*

2. Man’s whole constitution is unconditionally (*necessitate naturalis inclinationis*: de Ver 22, 5) oriented towards the good as it reveals itself in a transcendental light (*synderesis*, primal-conscience); inclinations [*Geneigtheiten*] towards the good exist even in the sensual parts of his spirit-directed essence.

Man cannot be prevented from following, albeit covertly, the light that beckons to him, neither by its eventual withdrawal, nor by being distracted by immediately available goods, nor even when the gift quality of the good is obscured by sin. Thus, even pagans will be judged ‘through Jesus Christ according to my gospel’ (Rom 2:16).

3. Abstract formulations of man’s attraction to the good in terms of “natural law” – for example, the “categorical imperative” governing relations between fellow men – are derivative and have “reference-character”.

\* – Cf. Hansjürgen Verweyen, *Ontologische Voraussetzungen des Glaubensaktes* (Patmos, 1969).<sup>46</sup>

The discussion of the section title sets the terms in which our interpretation of this proposition will proceed. Despite the fact that the proposition is notionally aimed at non-Christian ethics, we have asserted that Balthasar is engaging in a dispute with his fellow theologians regarding the role of conscience in postconciliar moral theology. This is intended to complement his dispute with the neo-Scholastic moral

<sup>46</sup> This text is available online at: [www.ub.uni-freiburg.de/fileadmin/ub/referate/04/verweyen/ontol-01.htm](http://www.ub.uni-freiburg.de/fileadmin/ub/referate/04/verweyen/ontol-01.htm) (Last accessed: 29 December 2015).

manuals in Section II and to strengthen the case for his account of Christian ethical life in Section I.

Balthasar pursues his dispute in conversation with GS 16 and with the interpretation of this passage by the ITC in proposition thirteen of 1972. The analysis of these two texts in chapters one and two will thus guide our interpretation of this proposition. We begin by summarising our account of this prior discussion. In chapter one we argue that GS 16 uses the term ‘conscience’ to refer to the consciousness of the individual. This is the same use that Balthasar makes of the term in this proposition (see the reference to ‘self-consciousness’ in the first sentence). Drawing on the work of McDonough, we argue that there are two inconsistent readings of GS 16 which depend upon whether the “factor” located within consciousness is a ‘law’ or the ‘voice’ of God. We argue that moral theologians need to adjudicate between these two readings of the council text. Then in chapter two we show that the ITC offer such an adjudication in 1972, siding with the first of the interpretations. The ITC argues that there are a set of ‘fundamental demands’ contained within conscience and equates these with the ‘public expressions of the essential human rights.’<sup>47</sup> The ITC also innovates on the teaching of GS 16 by discussing conscience in a proposition on general human ethics but not in its propositions on Christian ethics.

We further argue in chapter two that Balthasar’s dissatisfaction with the ITC’s 1972 propositions is one of the primary reasons that he drafts the *Nine Propositions*. Thus, one of the tasks of the *Nine Propositions* is to offer an interpretation of GS 16 that improves on that provided by the ITC. We suggest that Balthasar is highly successful in discharging this task. At the root of his counter-argument is a decision to side with the second interpretation of the “factor” in GS 16. This is the interpretation which takes the “factor” to be a ‘voice’ and which draws primarily on the late changes made to the council text by Häring. Balthasar’s alternative interpretation is consistent with his account of Christian ethical life in Section I which we have discussed in conversation with Hegel’s critique of law in SCF.

Hegel, it will be recalled, distinguishes between an objective law, which specifies in thought what the subject must do in practice, and a living command. Where a law is objective, it determines the action of the subject in advance by means of a ‘should’. Where a “law” is in fact a living command, it simply articulates, in the form of thought, a particular moment in the harmonious life of love. Confusion is caused when the same word ‘law’ is used to refer to an objective law (which Hegel critiques) and a living command. In SCF, Hegel tries to avoid this confusion by only

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<sup>47</sup> Sharkey, *Texts*, Vol. 1, 93.

using 'law' to refer to 'objective law' and using 'command' to refer to the living description. We have largely followed this practice in our thesis. In postconciliar moral theology, a similar distinction appears to have been drawn between moral laws and moral directions [*Weisungen*].

To illustrate a living command one might consider Jesus' instruction to his disciples to turn the other cheek (Mt 5:39; Lk 6:29). According to Balthasar and Hegel, Jesus here is simply describing what the active life of love looks like. Another might be Jesus' sending of the seventy-two followers on a mission (Luke 10:1). In both of these cases, the disciples do not obey these commands out of duty, and against their inclination, but because they understand and desire to take the path towards a reconciled community of love. Reading GS 16 through this account of the reconciled life of love, Balthasar would argue that the voice of God in conscience is not issuing objective laws but living commands summarised by a bespoke personal mission. There is no loss to the individual who follows this command, as God does not require the sacrifice of inclination to duty. The only sacrifice that God requires, the sacrifice implied by the divine "should" of the bespoke personal mission, is the sacrifice of what is opposed to him, i.e. sin. This is no loss at all.

Whilst Balthasar prioritises the account of the 'voice' of God in GS 16, he also has an account of the reference to the 'law,' which is discovered '[d]eep within' conscience. As Balthasar claims in the title of proposition one, Jesus Christ is the concrete norm (law/command/instruction) of Christian ethics. Obviously, any description of Jesus Christ as a law is metaphorical. Jesus is only objective in the sense that anything opposed to him is sin and humanity already wishes to discard this. The law of Christ is, on Balthasar's understanding, the law of being brought to life in God. As an interpretation of GS 16, Balthasar's account also has the advantage that all of the references to 'law' in GS 16 are in the singular. Thus, Balthasar's account of the voice of God in consciousness and the 'law' of Christ offers a coherent interpretation of the vast majority of GS 16. It does this without the need to turn to lists of Christian moral laws or demands and without reference to natural law.

Having said this, we agreed in chapter one with those scholars who claim that it is impossible to provide a single coherent interpretation of the text of GS 16. Balthasar's interpretation gives an account of almost every feature and shows how the argument of the text conforms to the wider concern of the council fathers that the Mystery of Christ be placed at the centre of moral theology (LG and OT 16). However, Balthasar's argument cannot do justice to the reference in GS 16 to the 'objective norms of morality'. It would be possible to argue that the plurality of

norms in Christian morality are a plurality of general living commands as attributed to Jesus in the Sermon on the Mount. However, it is impossible for these norms to be objective, at least in the sense that we have been using this term. As we saw in the discussion of proposition six above, it is possible to interpret the Old Testament law in this objective sense, because it reveals God from the outside, as it were, but Jesus Christ perfects the law by supplementing it with right inclination such that there is no longer a conflict between law and inclination. For this reason, like the ITC before him, Balthasar is unable to do justice to every part of the text of GS 16. We can find no way to avoid the requirement that moral theologians adjudicate which parts of GS 16 stand in need of correction. Moreover, this task can only be done in the context of the teaching of the council as a whole (as we have tried to do in chapter one.)

As noted above, it is a weakness of the ITC propositions on moral pluralism that they retain a neo-Scholastic account of a natural human morality which is repeated in Christian morality. This is the idea that there is a single morality which is repeated from two different perspectives. In the neo-Scholastic period, the divine law, and the pope with the aid of the holy Spirit, provide the definitive clarification of the natural law. However, the ITC propositions imply that the natural law is fairly well established (human rights) and give a surprisingly vague account of the Christian moral law ('unchanging principles'). Balthasar's account of Christian ethical life, however, questions this neo-Scholastic claim by denying that there are any lists of objective laws (natural or Christian) by which Christian ethical activity is determined.

[7.1] On first reading, it is a little unclear how Balthasar's argument in the first part of the seventh proposition participates in the postconciliar debate regarding the role of conscience in moral theology. The primary allusion to GS 16 is the reference to Rom 2:16 at the end of the second part of the proposition. (GS 16 cites Rom 2:14-16 and proposition thirteen of the ITC in 1972 cites Rom 2:14.) We will discuss this in the relevant section below. From the start of the proposition, however, Balthasar assumes the interpretation of GS 16 that we have just given and compares philosophical talk about the nature of human experience and Christian talk about God. This is an alternative account of what is shared between Christians and non-Christians than the reference to 'fundamental demands' in the 1972 proposition.

Balthasar's use of the parenthetical term '(Extrabiblical)' raises the question as to whether or not he is addressing the proposition to the whole of humanity or to those human beings who draw consolation from the idea of an ethics of conscience. The

argument in favour of the former is that all human beings are self-conscious. The argument in favour of the latter is that Balthasar has explicitly claimed that Section III is about ‘fragments’ of ethics which are inadequate to the task of reconciliation. Christians do not participate in such fragmentary accounts but in the real ethical life of the church. The English language translators of the *Nine Propositions* have given different answers to this tricky interpretative question. Elders and Baker elect for the second answer and Harrison hints at the first, whilst retaining some of the ambiguity of the original formulation.<sup>48</sup> The most charitable interpretation would seem to be that Balthasar means both. On the one hand, only extrabiblical man takes comfort from the argument of this proposition. Biblical man participates in a form of Christian or Old Testament ethics which goes beyond this account. In this sense, the proposition is about extrabiblical man. On the other hand, Balthasar provides an account of the natural experience of ‘reality’ [*Wirklichkeit*] which is open to perfection by the analogous experience of biblical revelation. In this sense, the proposition is about all human beings because we all share the initial experience of reality. Biblical man subsequently leaves it behind by adopting the perspective of faith in Jesus Christ.

As argued above, Balthasar rejects talk about the ‘objective norms of morality’ (GS 16) or the ‘fundamental demands’ of conscience (ITC, 1972) in favour of an existential knowledge of the identity of thinking and reality, that is an existential knowledge of the absolute, which is turned into an explicit knowledge of God in the Biblical revelation.<sup>49</sup> Thus, the same argument can be seen in 7.1 as can be found in EGB. In the latter, Balthasar argues that human beings are born with a ‘religious problem’ whereby they understand that they are not ‘the absolute’ or ‘the whole’ and yet are unable to grasp the absolute or the whole.<sup>50</sup> In *Theo-Drama I* Balthasar refers to this as ‘the contradiction in Being itself’.<sup>51</sup> Here in 7.1 Balthasar presents this argument with the claim that the gift of individual existence to man (*cogito/sum*’ or self-consciousness) entails a ‘relationship to his fellow men.’ In other words, whilst the individual receives their existence as a gift, they are unable to grasp the ‘whole’ of existence due to their necessary dependence upon the rest of humanity. However, they are immediately in possession of an existential knowledge of the original identity of thinking (self-consciousness) and being (reality).

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<sup>48</sup> Sharkey, *Texts*, Vol. 1, 119.

<sup>49</sup> Balthasar attributes the claim that talk about the absolute and talk about God are the same to Aquinas’ *de Anima* 5 ad. 6 (7.e1a). Balthasar draws the distinction between ‘existential’ and ‘explicit’ knowledge of the absolute/God in 8.e3.

<sup>50</sup> Balthasar, EGB, 119.

<sup>51</sup> Balthasar, *Theo-Drama I*, 431. GO *Theodramatik*, 404.

Balthasar's account of the natural state of humanity shares similarities with Hegel's argument in SCF. Like Hegel, Balthasar insists that human beings are only satisfied when they are living harmoniously as a community. The origin of human beings is in the hands of others, and the pursuit of individual freedom apart from a community is an illusion. Secondly, Balthasar identifies the same pair of terms – thinking and reality (being) – as fundamental to human existence that Hegel identifies in SCF. Hegel, it will be recalled, argues that the '...whole can [only] be divided only into idea and reality...'.<sup>52</sup>

[7.2] The first part of this section expands upon the argument which has already been made in 7.1. Because human persons are born with a religious problem they have an orientation to the solution of that problem which is union with 'the good'. The new contribution to the argument is the reference to 'primal-conscience'. This is the only reference to conscience aside from the title of the proposition and presupposes the account of conscience in GS 16. The "factor" which Balthasar claims to be the common possession of humanity is 'the good', which Christians know to be Jesus Christ. However, Balthasar argues that it is not simply 'the good' that unites humanity but also the experience of freedom and spontaneity. This provides the impetus ("inclinations") towards action in reality, which is the human manifestation of goodness. Thus, Balthasar emphasises that it is the whole self-consciousness, the "factor" of the absolute good and the inclination (*synderesis*), which is oriented towards the good. This means that wherever duty is divided against inclination, whether within or outside the church, the good creation of God is receiving an injury.

The second part of 7.2 makes some very difficult claims regarding the 'light of transcendence'/'radiance of reality'. It also opens up a Scriptural dimension to Balthasar's dispute with the ITC over the interpretation of GS 16. In the first place, Balthasar discusses three possible relationships to 'the light'. This light is both the light of the goodness of reality (in natural terms) and the light of God (in biblical terms). One of the proposed relationships is quite straightforward. Human beings can be distracted from the absolute good by 'immediately available goods'. This would seem to shadow the biblical account of the dangers of idolatry. Second, 'sin' can result in the 'good' losing the character of gift. This appears to be a kind of intellectual problem parallel to the misinterpretation of the Mystery of Christ. Thus, it is possible to sin against this existential knowledge of the absolute good by suppressing it, or failing to acknowledge that one is not the 'whole'. The third reference, then, to the 'withdrawal' of the light is extremely difficult to interpret. It

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<sup>52</sup> Hegel, SCF, 187.

suggests that God/the good may adopt a more distant posture from human beings in response to their actions. It is difficult to reconcile this with the theological affirmation that God is love and desires the salvation and blessing of all. Indeed, we noted in chapter one that this is a major theme of the council.<sup>53</sup> We are unable, however, to identify an interpretation of this claim that is more consistent with the council.

It would be interesting in the future to interpret the three different relationships to the light in terms of Balthasar's doctrine of evil and sin. In this context, however, Balthasar's primary point is that none of them is sufficient to break the natural orientation of the human individual to the good. This is a product of his interpretation of Rom 2:14-16 which is aimed at the prior interpretations of the ITC in 1972 and the council in GS 16. The latter text makes reference to Rom 2:14-16 after observing that the dignity of man 'lies in observing this law, and by it he will be judged.'<sup>54</sup> Balthasar, appears to interpret this 'law' as a reference to Jesus Christ known, to non-biblical man, as the good. This has the great advantage that the 'law' by which Christians and non-Christians will be judged, according to GS 16 is the same Jesus Christ through which God 'will judge the secret thoughts of all' (Rom 2:16; NRSV). Balthasar's point, here, is that the common natural existential knowledge of reality/God means that all human beings are responsible before God for their lives. This is a good interpretation of Paul's argument and further strengthens Balthasar's already impressive interpretation of GS 16. It also challenges the ITC's 1972 reading of GS 16. The latter interpret the council text as teaching a common series of natural laws which Christians and non-Christians share. It is these standards against which God will judge humanity. This, however, retains objective law in moral theology and continues to perpetuate the subordination of the individual subject to the objective 'should'.

[7.3] The third section of the proposition makes the only explicit reference to philosophy in the entire text of the nine propositions (i.e. Kant's 'categorical imperative'). Balthasar's argument flows from his claim that humanity is united in its existential knowledge of the goodness of reality and not in a set of 'objective norms of morality' (GS 16) or 'fundamental demands' (ITC, 1972). The reason that Kant's 'categorical imperative' is an 'abstract formulation' of the radiance of reality is that it does not include inclination/*synderesis*. The categorical imperative is only a candidate for the "factor" that is said, by GS 16, to be located within consciousness.

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<sup>53</sup> See chapter one, page 67.

<sup>54</sup> GS 16. Flannery, *Conciliar Documents*, 916-917.

Without an account of the unity of human inclination, Kant's categorical imperative is inadequate to the task of reconciling the world. Balthasar describes it as having "reference-character" because it identifies that the disharmony of the world is a problem that needs to be repaired. However, it is only a reconciliation of persons which does not depend merely on duty or merely on inclination (either of which presuppose that the person is not reconciled in themselves) that can solve this problem.

Balthasar's reference to "natural law" provides a second angle on his intervention in the postconciliar debate regarding the future of moral theology. It is not simply claims to have a good conscience which Balthasar judges to be inadequate, but accounts which put the burden onto natural law. Kant is a good representative of natural law because he is not satisfied with a list of natural laws but tries to unify it in a single natural criterion. Thus, by showing how even the best representative of natural law thinking fails (because they cannot account for inclination), Balthasar argues that natural law thinking cannot take a load-bearing position in perfected (non-objective) postconciliar moral theology.

Having concluded our interpretation of proposition seven, we note in passing that Balthasar's account of natural law is equivalent to 'right reason'. Balthasar does not share a typical preconciliar account in which natural law is ambiguously internal and external to consciousness. In common with Fuchs and other postconciliar theologians, Balthasar assumes that natural law is restricted to thought and he goes on in proposition eight to discuss 'natural order' ethics which attempts to discern a pattern in reality. Whilst this makes Balthasar typical of the moral theologians of this period, it is worth noting that it is also consistent with our interpretation of Hegel's SCF in which thought and reality is the most basic distinction.

Aside from his contribution to the interpretation of the council, our interpretation of proposition seven has identified two well-known moral concepts which Balthasar claims are inadequate in themselves to the task of perfecting moral theology: conscience and natural law. We have already explained, in the case of the latter, that it is inadequate as a basis for the reconciliation of the world because it only unites people in terms of the "factor" in consciousness and not also in terms of their inclination. In an attempt to cast further light on Balthasar's treatment of conscience, we now rehearse Hegel's application of this argument to the morality of conscience in SCF.



In SCF Hegel criticises Kantian heteronomy and autonomy in the same way. Both involve a 'duty' which is purely 'objective' and thus enslaves inclination, which is the manifestation of subjectivity: 'between the Shaman of the Tungus, the European prelate who rules church and state, the Voguls, and the Puritans, on the one hand, and the man who listens to his own command of duty, on the other, the difference is not that the former make themselves slaves, whilst the latter is free, but that the former have their lord outside themselves, whilst the latter carries his lord in himself, yet at the same time is his own slave.'<sup>55</sup> Thus, according to Hegel's critique of law, the only difference between heteronomy and autonomy is the location of the voice of the master, both are equally effective in enslaving the subjective inclination. Later in the text, Hegel uses this same argument to interpret Jesus' critique of the Pharisees:

The consciousness of the Pharisee (a consciousness of duty done), like the consciousness of the young man (the consciousness of having truly observed all the laws – Matthew xix.20), this good conscience, is a hypocrisy because even if it be bound up with the intention of the action, it is a reflection on itself and on the action, is something impure not belonging to the action; and if it is an idea of the agent's self as a moral man, as in the case of the Pharisee and the young man, it is an idea whose content is made up of the virtues, i.e., of restricted things whose sphere is given, whose matter is limited, and which therefore are one and all incomplete, while the good conscience, the consciousness of having done one's duty, hypocritically claims to be the whole.<sup>56</sup>

Interestingly, Hegel claims that the argument which he is advancing against the 'good conscience' also applies to claims on behalf of virtue. Thus, Hegel's critique of the objectivity of law includes within itself a critique of both good conscience and moral virtue. As we have rehearsed repeatedly, the problem with all moral and civil laws for Hegel is that they are unifications in thought of particular finite content.<sup>57</sup> Moral laws are universally recognised by all people, whilst civil laws are enforced by political might. Thus, civil laws are heteronomous, after the manner of the Shaman of the Tungus, and moral laws are autonomous, after the manner of the (Kantian) Pharisee. In both cases, such laws open up the possibility of guilt because one can deny their content. Obeying them, however, does not bring life or love, it simply avoids possible guilt. Anyone who claims to be righteous on the basis that they have avoided incurring particular guilt by obeying particular moral or civil laws is confusing two distinct questions. Righteousness is a state of the person as a unity, whilst laws and duty only point to particular parts of human existence. Moreover,

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<sup>55</sup> Hegel, SCF, 211.

<sup>56</sup> Hegel, SCF, 220.

<sup>57</sup> Hegel, SCF, 209.

this critique remains exactly the same if precise laws are replaced by virtues, and a discussion of right action is replaced by a discussion of one's moral character. The 'matter' (or content) of each virtue is still limited (e.g. patience) and thus it is impossible to claim righteousness on the basis of conformity to one or more virtues.<sup>58</sup> All one can claim is that one has managed to avoid developing these particular vices.

The scope of Hegel's critique of law in SCF is quite impressive and bears comparison with the wide range of concepts which Balthasar criticises in Section III of the *Nine Propositions*. Summarising our interpretation of proposition seven, Balthasar appears to argue that claims to have a good conscience, or to have been obedient to a list of natural laws, are inadequate because they require that the claimant is internally divided between duty and inclination. Because the goal of God is to reconcile the world in Christ, a morality of conscience, or of specific natural laws, has not yet grasped the full consequences of the Mystery of Christ. On this account, the main difference between postconciliar moralities of conscience or virtue and preconciliar neo-Scholastic manualism is that the former insist that Christians allow for greater variation in the conscientious application of natural moral laws or virtues. Crucially, however, this still leaves the Christian under an obligation in thought to a moral law, or set of virtues, and, whilst this is the case, the individual (and therefore the world) cannot be reconciled.

Balthasar does not include any reference to virtue ethics in the text of proposition seven, although we have seen that Hegel includes a critique of virtue within his critique of law in SCF. This shows that Balthasar was in possession of a critique of virtue ethics seven years before MacIntyre transforms English language moral theology in *After Virtue* (1981).<sup>59</sup> Balthasar does, however, make a single reference to virtue in an explanatory paragraph of proposition seven. The later influence of MacIntyre on twentieth century moral theology probably explains why this reference is the only section of the *Nine Propositions* to be quoted in all three full length English language studies of Balthasar's moral theology (although Nathe only cites it in his discussion of Barrett):

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<sup>58</sup> Hegel, SCF, 220.

<sup>59</sup> Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (London: Duckworth, 1981). MacIntyre had previously studied Hegel which may have been his motivation to move away from legal accounts of morality: MacIntyre, ed. *Hegel: A collection of critical essays* (New York: Anchor Books, 1972). For an account of the development of virtue ethics in moral theology which also credits the early work of Hauerwas for redirecting the twentieth century debate see David Cloutier and William C. Mattison III, "Review Essay: The Resurgence of Virtue in Recent Moral Theology," *Journal of Moral Theology* 3.1 (2014): 228-259.

The distinctive ethical [*sittliches*] task laid upon man is that of ethicizing (*ethizesthai*) [*Durchsittlichung*] his whole spiritual-bodily essence; the result is called virtue (7.e2).<sup>60</sup>

It is easy to see the attraction of this passage which provides a pithy summary of an ‘ethical task’ and is thus an obviously *ethical* claim. Indeed, it leads Barrett to suggest that Balthasar’s Christian ethics can be best ‘accounted for within a framework of virtue ethics.’<sup>61</sup> As we have just seen, this is an incorrect representation of Balthasar’s faith-ethic as it would negate his claim, similar to Hegel, that righteousness is a total state (“virtue”) or it is nothing.<sup>62</sup> The suggestion that one can become more righteous by developing particular virtues, and losing particular vices, is exactly the account of moral theology against which Balthasar is arguing. We thus agree with Nathe’s critique of Barrett’s proposal, and with his summary of the *Nine Propositions* as ‘...a work principally and directly about ethics which does not employ the virtues, moral action theory, divine command ethics or, even less, casuistry.’<sup>63</sup>

Steck offers a more cautious interpretation of this passage, which he describes inaccurately as ‘a trace of a virtue ethics’.<sup>64</sup> Steck also gets the priority wrong when he claims that ‘[t]o see God’s call, we must first become the type of person able to see that call.’<sup>65</sup> Balthasar’s presentation of the call of God to Abraham in proposition five takes up the Barthian perspective: God calls, man responds. Neither can it be the case that everything is ‘telescoped into the one “moment” of faith’ because ‘faith’, whilst being the sole requirement for participation in Christian ethical life and the total requirement for righteousness, is only made known in a real historical participation in the church.

We propose that the best way to interpret Balthasar’s comment in 7.e2 is as a rule for the correct use of the term virtue. On the one hand, virtue cannot be divided into separate components and then used as a test to determine whether or not a person is virtuous. On the other hand, human beings are created with a religious problem

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<sup>60</sup> Steck, *Ethical Thought*, 147; Barrett, *Love’s Beauty At the Heart of the Christian Moral Life: The Ethics of Catholic Theologian Hans Urs von Balthasar* (Lampeter: Edwin Mellen, 2009), 191; and Nathe, *The Form Love Takes in the World*, 42.

<sup>61</sup> Barrett, *Love’s Beauty*, 193.

<sup>62</sup> Barrett subsequently declares Balthasar’s ‘virtue-based theory’ (p.259) to be inadequate and offers to supplement it with a list of ‘practical norms’ (p.262). Without dismissing Barrett’s desire to recover a place for law in the Christian life, it is incorrect to describe these norms as a ‘speculative Balthasarian ethics’ (p.258). Such a ‘general set of norms’ (p.259) is subject to the same critique as a set of virtues.

<sup>63</sup> Nathe, *Form Love Takes in the World*, 24.

<sup>64</sup> Steck, *Ethical Thought*, 147.

<sup>65</sup> Steck, *Ethical Thought*, 148.

which requires resolution. The only real resolution to this problem, Balthasar maintains, is faith in Jesus Christ and obedience to one's personal mission. This can be interpreted as virtue or as righteousness. The life of faith draws on the entire person without dividing the spirit and body, which we take here as synonyms for duty and inclination.

#### *8: The pre-biblical natural order*

Where self-revelation by the free, personal God is missing, man tries to find his life's ethical order in the cosmos which enfolds him. Since he owes [*verdankt*] his existence to a cosmic lawfulness [*Gesetzlichkeiten*], it is natural for thought about origins (i.e., the divine) to be conflated in his mind with thought about the natural realm. Such a theo-cosmological ethic collapses when the biblical fact attains resonance in world history.

Much of the interpretative work regarding this proposition has already been carried out in the discussion of the title of Section III and in the analysis of proposition seven. Unlike propositions seven and nine, Balthasar explains that there have been serious attempts in human history to reconcile the world by attention to 'cosmic lawfulness'. However, these 'ways' have now ceased under the influence of the biblical revelation. They remain of interest, however, because some contemporary moral theologians are taking comfort from the idea of a 'cosmic lawfulness' instead of attending to the fullness of Christian ethical life.

Before discussing the significance of this proposition for postconciliar moral theology we first interpret its literal meaning on the basis of a passage from *Theo-Drama I*:

We could imagine a static model of the world with an ordered nature as its umbrella, allotting each part its function in such a way that this part, freely and responsibly exercising its function, would embrace and fulfil the situation that nature gave it, even in the human and political arena. This is the grandiose panorama of the *Republic* of Plato ...and there are signs of it in Paul (1 Cor 7:17, 20, 24), though here the function allotted by nature is replaced by "the call of God". Initially the latter is a call to an earthly state of life (whether "circumcision" or "uncircumcision", "freeborn" or "slave"), but it can be extended to entirely personal vocations such as Paul (and, by analogy, every person possessing a charisma) has. Even for the Greeks, however, the all-embracing natural order could be broken through by personal missions [*Sendungen*], for example, the *daimōnion* of *Socrates*, which had an analogy in the destinies of the great tragic heroes. Oedipus,

Heracles and even Prometheus explode the whole Platonic convergence of nature and function, of *physis* and *polis*. A light shines into the world from a higher region and anchors itself deep in the heart of man who is called; as a result he will not allow himself to be integrated seamlessly into the social edifice.<sup>66</sup>

This lengthy quotation confirms a number of the interpretative claims that have already been made with regard to the *Nine Propositions*. It provides a discussion of what Balthasar takes to be a high point of extrabiblical ethics – the ‘static model of the world’ of Plato – and contrasts it with the emergence of the (dramatic) model of the New Testament, in this case represented by Paul. When in proposition eight Balthasar claims that the ‘theo-cosmological ethic collapses when the biblical fact attains resonance in world history’ he is referring to the fact that the Christian account of a dramatic ethical life, dependent upon the Old Testament definition of personhood, develops the inadequacies of Plato’s static scheme which had been identified in antique Athenian drama.

The account of Plato’s natural order ethic in the *Theo-Drama* passage anticipates Christian ethical life to the extent that nature is said to allot roles (‘function’) to human beings. This is, presumably, a feature of Plato’s sophistication, as his account anticipates the invention of personhood by God in the biblical revelation. To this picture, the ‘theo-cosmological ethic’ of proposition eight adds that the account of the divine at this point in history is found in the laws of the natural order which the individual/community has to navigate in order to survive. The biblical revelation clarifies the situation by challenging Plato’s claim that nature allots the roles and changing the way in which the divine is conceived. In the Old Testament, God reveals himself to be personal at the same time that he defines the personhood of Abraham and his descendants. Thus, the close study of nature (being/reality) will no longer reveal the source of existence which is now understood to be a God who is ungraspably beyond the distinction between thinking and being. Similarly, it is this new ungraspable God who allots the roles given to persons as identified by Paul in 1 Corinthians.

The *Theo-Drama* passage provides a more detailed account of the individual Christian mission than has been provided in the *Nine Propositions*. It also makes the story a little more complicated. Specifically, Balthasar suggests that there are already intimations of the Christian understanding of mission in the fact that ‘the all-embracing natural order could be broken through by personal missions’. However,

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<sup>66</sup> Balthasar, *Theo-Drama* I, 354-355. GO *Theodramatik*, 330-331. The translation of *Sendungen* has been changed from ‘vocation’ to ‘mission’.

these anticipations are not meant to challenge the transformation wrought by the emergence of a distinction between the personal God and the natural real. Through Christ, God opens up missions to ‘every person possessing a charisma’. However, an additional stage, which does not feature in the *Nine Propositions*, is the claim that Christians are initially called by God ‘to an earthly state of life’ before going on to identify their own unique personal mission (‘should’). This has unnerving echoes of the preconiliar distinction between the two stages of the Christian call (moral theology and ascetical theology) which may well be why Balthasar leaves it out of the *Nine Propositions*. An interesting project for future research would be to establish the importance of the role played by an intermediate ‘state of life’ in Balthasar’s wider theological project.

The conclusion of the passage from *Theo-Drama* provides the basis for our claim above that proposition seven does not have a specific historical location. Specifically, the existential knowledge of the call disrupts Plato’s static model of the universe and prevents it from maintaining a hold on the imagination of human beings during the antique Greek period. This is part of Balthasar’s wider argument that this light is given with human existence and can never be entirely eliminated or suppressed. Moreover, as the *Theo-Drama* passage confirms, this light forms the basis of the natural human religious problem because it prevents individuals from being ‘integrated seamlessly into the social edifice’. In proposition seven this was rehearsed with the claim that the freedom of the individual is dependent upon their social participation.

At this point we return to the question of the significance of proposition eight for postconciliar moral theology. As indicated in the interpretation of proposition seven, Balthasar recognises that moral theologians are locating natural law within human consciousness and not out in the world. Mark Graham argues that Fuchs changed his approach to natural law in the 1960s when he learned to distinguish a natural law grounded in the being of the world from a natural law grounded in right reason.<sup>67</sup> Thus, Balthasar’s claim that natural order ethics has been superseded by the biblical revelation does not apply to Fuchs’ proposal. Instead, Balthasar may be offering a critique of a moral statement by John XXIII. The most high profile statement of natural order morality that we can find during this period is the teaching of John XXIII in his 1963 encyclical *Pacem in Terris*. This includes the opening claim ‘[t]hat a marvellous order predominates in the world of living beings and in the

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<sup>67</sup> Graham, *Josef Fuchs*, 96-97.

forces of nature.’<sup>68</sup> As Balthasar has just been seen to argue, this teaching overlooks the important qualification that any order in the world is actually attributable to the one work, or gift, of God.

### 9: *Post-Christian anthropological ethics*

The attempt to find a ground for a post-Christian but non-Christian ethics can only be pursued in the dialogical relationship of human freedoms (“I-Thou”, “I-We”). But since in this case cultic gratitude [*Sich-Verdanken*] (to God) no longer forms part of the free person’s primal act, the reciprocal gratitude [*Sich-Verdanken*] between the subjects becomes a secondary and only relatively valid act; the reciprocal limitation of unbounded free subjects appears extrinsic and imposed. It is impossible to achieve a synthesis between the fulfilment of the individual and that of the community.

In many ways the final proposition simply sums up the points which Balthasar has already made in the previous propositions. As with propositions seven and eight it presupposes that the ‘religious problem’ in EGB is impossible to resolve apart from the real reconciliation of the world that is taking place in Christian ethical life.<sup>69</sup> The significance of the reference to ‘post-Christian’ in the title and, in the first sentence, is to locate the proposition in the period after the definition of the individual person. This is the fruit of God’s self-revelation, introduced in the call to Abraham (prop 5) and discussed above. The rhetorical approach that Balthasar takes in the proposition is to ask what would be needed for an extrabiblical ethics to avoid the problem of fragmentation. His initial response, then, is that it would have to have a firm grasp on the ‘religious problem’ that is given to human kind with their existence.<sup>70</sup> However, Balthasar goes on to explain why this problem is intractable using the concept of *Sich-Verdanken*. This is a very difficult term to translate. However, it is not too difficult to interpret. Balthasar is basically arguing that it is only on the basis of faith in the God who is beyond the community that it is possible for the individual to dispossess themselves (lovingly) in favour of the community. In the absence of faith in this greater divine context, the person must experience the claim of the community

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<sup>68</sup> John XXIII, *Pacem in Terris* (11 April 1963): paragraph two. Available online at: [www.vatican.va/holy\\_father/john\\_xxiii/encyclicals/documents/hf\\_j-xxiii\\_enc\\_11041963\\_pacem\\_en.html](http://www.vatican.va/holy_father/john_xxiii/encyclicals/documents/hf_j-xxiii_enc_11041963_pacem_en.html) (Last accessed: 29 December 2015).

<sup>69</sup> Balthasar, EGB, 120.

<sup>70</sup> The reference to ‘the dialogical relationship of human freedoms’ refers to the ‘The dialogue principle’ which Balthasar introduces at the end of *Theo-Drama I*, 626-643. GO *Theodramatik*, 587-603. Balthasar considers this to be the pinnacle of contemporary non-Christian ethics.

as an alienating loss which will never be recovered. Thus, they are engaged in the perpetual activity of measuring whether what they are receiving from the community is sufficient for the investment that they are making. In other words, Christians practice a living dispossession which is an action of the whole person in pursuit of the reconciliation of the world in love. However, without the work of God which forms the community of real reconciliation, and sustains it by the gift of the Spirit which unifies duty and inclination, it is only possible to participate in a dispossession of duty.



## Conclusion: Balthasar's proposal for postconciliar moral theology

Balthasar's *Nine Propositions* did not achieve the outcome that he had hoped for because the International Theological Commission (ITC) did not adopt it as a definition for postconciliar moral theology. As far as we can tell, Balthasar never again tabled his own text for discussion by the commission, although he remained an active member until his death in 1988. We express some puzzlement in chapter three regarding the thinking of the commission in 1974 when they declined to adjudicate between the texts by Balthasar and Schürmann. Did they have specific objections to Balthasar's argument in the *Nine Propositions*? Did they wish to study the proposal further? Did they intend, at that stage, to revisit the teaching of the council on moral theology at a later assembly?

Whatever the commission intended to do they have never, in fact, returned to the proposals of Balthasar and Schürmann. More importantly, they have also never returned to the task of interpreting teaching of the council regarding moral theology. This includes even the recent text, unanimously agreed by the ITC, titled *In Search of a Universal Ethic: A New Look at the Natural Law* (2009).<sup>1</sup> This report, which we do not interpret in this thesis, is the product of three successive ITC plenary assemblies in the years 2006-2008. The report would seem to have been an excellent opportunity to evaluate Fuchs' and Balthasar's proposals for moral theology in the context of the texts of the council. Unfortunately, the report does not attempt either of these tasks. In the first place, it makes no reference to the 1974 papers by Balthasar or Schürmann, despite the fact that Balthasar's *Nine Propositions* give a very clear account of a universal Christian ethic and relativises the use of objective law in moral theology.

In the second place, the 2009 report also makes no attempt to improve upon Fuchs' or Balthasar's 1974 interpretation of the council. The report restricts itself to a small number of references to GS and a single reference to *Dignitatis humanae*. Even OT 16, the text which we have identified as central to the interpretations of the council offered by Fuchs and Balthasar, and which was a topic of discussion at the 1974 assembly, is left out from consideration. In what forum, if not the ITC, has the definitive consensus on the teaching of the council on moral theology been worked out? And, returning to a theme touched on in the introduction to this thesis, how are

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<sup>1</sup> ITC, *In Search of a Universal Ethic: A New Look at the Natural Law* [Unanimous report], 2009. Available online at: [www.vatican.va/roman\\_curia/congregations/cfaith/cti\\_documents/rc\\_con\\_cfaith\\_doc\\_20090520\\_legge-naturale\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_con_cfaith_doc_20090520_legge-naturale_en.html) (Last accessed: 29 December 2015).

the Anglican participants of ARCIC III supposed to pursue their dialogue with the Catholic church regarding the discernment of ‘right ethical teaching’ if important texts – texts agreed by the whole church in council – are set to one side in major investigations of postconciliar moral theology?<sup>2</sup>

We propose that Balthasar’s *Nine Propositions* remains one of finest interpretations of the council in postconciliar moral theology. In chapter one, we provide an interpretation of the teaching of the council on moral theology in discussion with a selection of key texts. The strength of this interpretation is that it identifies a line of argument in OT 16 and LG regarding the importance of the Mystery of Christ. This teaching, which is acknowledged on all sides after the council, endorses the incipient preconciliar Christological shift in moral theology. Balthasar’s *Nine Propositions* picks up on the council’s endorsement of this shift and places the Mystery of Christ at the centre of his account of Christian ethical life. He also provides an argument which explains how the popular repudiation of the neo-Scholastic moral manuals might be interpreted as a deeper appreciation for the gospel of Jesus Christ.

Another strength of the *Nine Propositions* is the fact that it provides strong arguments, albeit heavily disguised, regarding the drawbacks of alternative proposals for postconciliar moral theology. Here it is important to reiterate that Balthasar’s approach is constructive and that he incorporates concerns from across the spectrum of moral theologians into his argument. He does not simply dismiss ethical proposals with which he disagrees but seeks to show how the problems that motivate them are resolved within his account of Christian ethical life. Even if it proves possible to identify shortcomings in Balthasar’s account of Christian ethical life, the *Nine Propositions* remains an impressive attempt to reconcile the concerns of a wide variety of moral theologians in a manner that is consistent with the teachings of the council.

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<sup>2</sup> ARCIC III, *Communiqué from the meeting at Bose* [Communiqué], May 2011. Available online at: [http://www.anglicancommunion.org/media/105248/ARCIC\\_III\\_Bose\\_2011.pdf](http://www.anglicancommunion.org/media/105248/ARCIC_III_Bose_2011.pdf) (Last accessed: 29 December 2015).

## Appendix: The textual history of the *Nine Propositions*

It is well documented that the *Nine Propositions* was discussed at the fifth plenary assembly of the International Theological Commission on 15-21 December 1974.<sup>1</sup> There are, however, important questions regarding the origin of the text where we have had to make assumptions. This appendix discusses two such questions, namely, the date that Balthasar first drafted the *Nine Propositions* and the relationship of the various published versions to the text that was discussed by the ITC in 1974.

On the question of date, we have assumed that Balthasar drafted the *Nine Propositions* at some point between October 1973 and December 1974. This is based on the following: first, Balthasar's comments on Christian ethics in TS, published in 1972, have a tentative feel. This suggests that Balthasar drafted them before the *Nine Propositions*. We also believe that Balthasar's essay EGB, from 1973, is a prototype for the *Nine Propositions*.<sup>2</sup> This essay is addressed to the question of the knowledge of God, which is closely related to the 1969 ITC research programme into 'the criteria for Christian moral knowledge'. It is also divided into three sections in a similar way to the *Nine Propositions* (although the order of the sections is reversed). If, as we believe, this essay was drafted before the *Nine Propositions* then the latter was drafted sometime between October 1973 and December 1974.

A final point which supports this conclusion is that the ITC appears to have only set the topic of its plenary assembly a maximum of one year in advance. This is based on the fact that the order of the work programme in the 1969 final communiqué does not reflect the order in which the topics were subsequently discussed. It appears that the ITC allowed themselves to be directed by external factors, such as the agenda of a Synod of Bishops or a request for advice from the Pope. On this basis, the ITC will not have determined to treat moral theology at their 1974 assembly earlier than the

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<sup>1</sup> Confirmation that the *Nine Propositions* was discussed at this assembly can be found in the prefatory note by Delhay published in Sharkey, *Texts*, 107, and the Preface to Ratzinger ed., *Principles of Christian Morality*, 7.

<sup>2</sup> The essay 'Experience of God in the Bible' (EGB) was submitted by Balthasar to the second Asian Monastic Congress in Bangalore in October 1973. (The language of the Congress, and therefore the essay, may have been French given that the subtitle of the Congress was *Aide à l'implantation monastique*. See *Explorations in Theology* IV, p.469). The essay is available translation: 'Experience of God in the Bible' *Cistercian Studies* Vol. X Part 2 (1975): 119-126. A second, slightly expanded, version was published as "Das unterscheidend Christliche der Gotteserfahrung" in *Pneuma und Institution: Skizzen zur Theologie* IV (Einsiedeln: Johannes, 1974): 26-37. ET "What is distinctively Christian in the experience of God?" in *Explorations in Theology* IV: *Spirit and Institution* Edward T. Oakes trans. (San Francisco: Ignatius, 1995): 29-40.

assembly of 1973, which was probably held in October 1973.<sup>3</sup> For this reason, we have assumed that the *Nine Propositions* was drafted between October 1973 and December 1974.

The second question, then, is the relationship of the various different versions of the text. We assume that the Latin version, which we have only been able to access on the website of the holy See, was tabled at the ITC assembly of 1974.<sup>4</sup> This assumption has been made, first, because Latin will have been a convenient working language for an international commission and, second, because Vatican II did not change the convention that the Latin version of texts is the official version.<sup>5</sup> We further assume that Balthasar will have first drafted the text in German, meaning that the German version was also available to members of the commission at the 1974 assembly. Unlike Schürmann, Balthasar appears to have made very few alterations to his text before it was published in Ratzinger's 1975 collection.<sup>6</sup> This supports our practice in this thesis of discussing the 1975 German text as if it was available to the commission members in 1974.

Both of the English translations, like the French translations, appear to have been produced after the ITC assembly of 1974. Harrison's translation, which we use as the basis for our quotations in this thesis, is a direct translation from the German text published in Ratzinger (1975). However, Elders and Baker appear also to have referred to the Latin text in preparing their translation. They do not appear to have privileged either the German or the Latin text but judged the discrepancies on a case by case basis. For example, they follow the German text by excluding the reference to 2 Cor 15:28 from the final sentence of 9.e3 but they follow the Latin text when translating the final sentence of the preliminary note.

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<sup>3</sup> We have not been able to ascertain the date of the 1973 assembly. However, the assemblies of 1969, 1970 and 1972 were all held in October so it seems likely that this practice was followed in 1973. The assembly appears to have been delayed to December in 1974 due to the late appointment of new members to the ITC by Paul VI.

<sup>4</sup> Balthasar, "Novem Theses." Available online at: [www.vatican.va/roman\\_curia/congregations/cfaith/cti\\_documents/rc\\_cti\\_1972\\_fede-pluralismo\\_it.html](http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_1972_fede-pluralismo_it.html) (Last accessed: 29 December 2015).

<sup>5</sup> See the response of Paul VI to a request by Hauptmann regarding vernacular translations of GS reported in Burigana and Turbanti, "The Intersession," in *History*, Vol. III, 531.

<sup>6</sup> Josef Ratzinger, ed. *Prinzipien Christlicher Moral* (Einsiedeln: Johannes Verlag, 1975).

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